

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

//0023B/MPMP/ADLANT/MPGT//

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U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (CLOSED)

12MAY08

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA/C

V/AL ZHRANI, YASSER TALAL/CIV

M/W/FNSA/N//26DEC83/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTM/ISN: 93/CELL A-8

V/AL TABI, MANA SHAMAN ALLABARD/CIV

M/W/FNSA/N//01JAN76/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTMO/ISN: 588/CELL A-12

V/AHMED, ALI ABDULLA H/CIV

M/W/FNYM/N//01AUG79/YEMEN

SUPP: DETAINEE BEING HELD AT JTF-GMTO/ISN: 693/CELL A-5

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA, (b)(7)(C) SPECIAL
AGENT

REFERENCE(S)

- (A) NCISRU GUANTANAMO BAY ROI (INTERIM)/20JUN06...(CONTAINS EXHIBITS 1-114)
- (B) NCISRU GUANTANAMO BAY ROI (INTERIM)/25JUL06...(CONTAINS EXHIBITS 115-143)
- (C) NCISRU GUANTANAMO BAY ROI (INTERIM)/25AUG06...(CONTAINS EXHIBITS 144-152)
- (D) NCISRU GUANTANAMO BAY ROI (INTERIM)/25SEP06
- (E) NCISRU GUANTANAMO BAY ROI (INTERIM)/24OCT06...(CONTAINS EXHIBIT 153)
- (F) NCISRU GUANTANAMO BAY ROI (INTERIM)/17NOV06
- (G) NCISRU GUANTANAMO BAY ROI (INTERIM)/11DEC06...(CONTAINS EXHIBITS 154-155)
- (H) NCISRU GUANTANAMO BAY ROI (INTERIM)/11JAN07
- (I) NCISRU GUANTANAMO BAY ROI (INTERIM)/09FEB07
- (J) NCISRU GUANTANAMO BAY ROI (INTERIM)/09MAR07
- (K) NCISRA GUANTANAMO BAY ROI (INTERIM)/20APR07
- (L) NCISRA GUANTANAMO BAY ROI (INTERIM)/09MAY07
- (M) NCISRA GUANTANAMO BAY ROI (INTERIM)/05JUN07
- (N) NCISRA GUANTANAMO BAY ROI (INTERIM)/05JUL07
- (O) NCISRA GUANTANAMO BAT ROI (INTERIM)/05AUG07
- (P) NCISRA GUANTANAMO BAY ROI (INTERIM)/13SEP07
- (Q) NCISRA GUANTANAMO BAY ROI (INTERIM)/12OCT07
- (R) NCISRA GUANTANAMO BAY ROI (INTERIM)/21NOV07
- (S) NCISRA GUANTANAMO BAY ROI (INTERIM)/20DEC07...(CONTAINS EXHIBIT 156)
- (T) NCISRA GUANTANAMO BAY ROI (INTERIM)/29FEB08
- (U) NCISRA GUANTANAMO BAY ROI (INTERIM)/24APR08...(CONTAINS EXHIBIT 157)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

~~SECRET/NOFORN~~

10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

EXECUTIVE SUMMARY

1. (S/NF) THIS INVESTIGATION WAS INITIATED ON 10JUN06, SUBSEQUENT TO THE RECEIPT OF INFORMATION FROM THE JOINT TASK FORCE GUANTANAMO BAY, CUBA (JTF-GTMO) STAFF JUDGE ADVOCATE (SJA) OF THE DEATH OF THREE DETAINEES, WITHIN JTF-GTMO CAMP DELTA. THE THREE DETAINEES WERE IDENTIFIED AS V/AL ZAHRANI (ISN 093), V/AL TABI (ISN 588), AND V/AHMED (ISN 693). ON 10JUN06, AT APPROXIMATELY 0039 HOURS, V/AL ZAHRANI WAS FOUND HANGING BY THE NECK INSIDE HIS CELL, IN ALPHA BLOCK, CAMP DELTA, BY JOINT DETENTION GROUP (JDG) PERSONNEL. WITHIN MINUTES, JDG PERSONNEL ALSO DISCOVERED V/AL TABI AND V/AHMED HANGING BY THEIR NECKS INSIDE THEIR CELLS. ALL THREE VICTIMS WERE TAKEN DOWN AND IMMEDIATELY TRANSPORTED TO THE DETENTION (DET) MEDICAL CLINIC, INSIDE CAMP DELTA. V/AL ZAHRANI WAS LATER TRANSPORTED VIA AMBULANCE TO THE NAVAL HOSPITAL, GUANTANAMO BAY, CUBA (NAVHOSP GTMO) WHERE HE WAS PRONOUNCED DEAD. V/AL TABI AND V/AHMED WERE BOTH PRONOUNCED DEAD AT THE DET MEDICAL CLINIC.

2. (S/NF) SUBSEQUENT TO RECEIPT OF THE DEATH NOTIFICATION MADE BY THE JTF-GTMO SJA, CONTACT WAS MADE WITH THE JDG COMMANDER TO ASSESS THE SITUATION AND COORDINATE NCIS' RESPONSE. THE DEATH SCENES WERE SECURED. ADDITIONALLY, ALL DETAINEES WERE REMOVED FROM ALPHA BLOCK AND THE ENTIRE BLOCK WAS SECURED. THE BODIES OF ALL THREE VICTIMS WERE MOVED PRIOR TO NCIS' ARRIVAL ON SCENE. INTERVIEWS WERE CONDUCTED WITH ALL JTF-GTMO PERSONNEL WHO HAD ANY DEALINGS WITH THE RESPONSE AND TREATMENT OF THE THREE VICTIMS. APPARENT SUICIDE NOTES WERE DISCOVERED IN THE CLOTHING OF ALL THREE VICTIMS. ALL DETAINEES ASSIGNED TO ALPHA BLOCK WERE INTERVIEWED; HOWEVER, NONE PROVIDED ANY SUBSTANTIVE INFORMATION. DEATH SCENE EXAMINATIONS WERE CONDUCTED AT EACH OF THE THREE CELLS WHERE THE VICTIMS WERE FOUND HANGING. PERSONNEL FROM THE ARMED FORCES INSTITUTE OF PATHOLOGY (AFIP) CONDUCTED AUTOPSIES ON ALL THREE VICTIMS AT NAVHOSP GTMO. AFIP DETERMINED THE CAUSE OF DEATH FOR ALL THREE VICTIMS WAS HANGING AND THE MANNER OF DEATH WAS SUICIDE. LATENT PRINT ANALYSIS OF EVIDENCE SUBMITTED TO THE U.S. ARMY CRIMINAL INVESTIGATION LABORATORY (USACIL) REVEALED V/AHMED'S AND V/AL ZAHRANI'S LATENT FINGERPRINTS WERE CONTAINED ON THE APPARENT SUICIDE NOTES. USACIL FORENSIC DOCUMENT EXAMINATION OF EVIDENCE FOR INDENTED HANDWRITING IMPRESSIONS LOCATED IMPRESSIONS, IN THE FORM OF DRAWINGS, ON ONE OF THE ITEMS OF EVIDENCE SUBMITTED. NO OTHER IMPRESSIONS OF VALUE WERE NOTED ON ANY OF THE OTHER SUBMITTED ITEMS. BY DIRECTION OF THE U.S. DEPARTMENT OF JUSTICE, A FILTER LITIGATION TEAM (FLT) WAS ESTABLISHED TO REVIEW ALL DOCUMENTS SEIZED FROM DETAINEE'S CELLS DURING THE INVESTIGATION FOR RELEVANCE TO THE INVESTIGATION AND TO IDENTIFY ATTORNEY-CLIENT PRIVILEGED INFORMATION. THE FLT

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10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

DETERMINED THAT NONE OF THE DOCUMENTS SEIZED WERE GERMAINE TO THE CAPTIONED INVESTIGATION. ON 27FEB08, THE SEFO DRP REVIEWED THE INVESTIGATION AND FORWARDED IT TO THE NCISHQ DEATH REVIEW BOARD (NCISHQ DRB) FOR CLOSURE AUTHORITY. ON 09MAY08, CAPTIONED INVESTIGATION WAS PRESENTED TO THE NCISHQ DRB AND AUTHORITY TO CLOSE THE INVESTIGATION WAS GRANTED. THIS INVESTIGATION IS HEREBY, CLOSED.

NARRATIVE

1. (U) THIS REACTIVE INVESTIGATION WAS INITIATED TO DETERMINE THE CAUSE AND MANNER OF DEATH OF V/AL ZAHRANI, V/AL TABI, AND V/AHMED.
2. (U) SUBSEQUENT TO THE SUBMISSION OF REFERENCE (U), THIS INVESTIGATION WAS PRESENTED TO THE NCISHQ DRB. THE NCISHQ DRB REVIEWED THE INVESTIGATION AND AUTHORIZED ITS CLOSURE. THIS INVESTIGATION IS, HEREBY CLOSED.

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INFO: MPMP/ADLANT/COMMANDER JTF-GTMO (SJA) (H)/SJA, JTF-GTMO (H)

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U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

24APR08

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV

M/W/FNSA/N//26DEC83/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTM/ISN: 93/CELL A-8

V/AL TABI, MANA SHAMAN ALLABARD/CIV

M/W/FNSA/N//01JAN76/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTMO/ISN: 588/CELL A-12

V/AHMED, ALI ABDULLA H/CIV

M/W/FNYM/N//01AUG79/YEMEN

SUPP: DETAINEE BEING HELD AT JTF-GMTO/ISN: 693/CELL A-5

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA/(b)(7)(C) SPECIAL
AGENT

REFERENCE(S)

- (A) NCISRU GUANTANAMO BAY ROI (INTERIM)/20JUN06...(CONTAINS EXHIBITS 1-114)
- (B) NCISRU GUANTANAMO BAY ROI (INTERIM)/25JUL06...(CONTAINS EXHIBITS 115-143)
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- (R) NCISRA GUANTANAMO BAY ROI (INTERIM)/21NOV07
- (S) NCISRA GUANTANAMO BAY ROI (INTERIM)/20DEC07...(CONTAINS EXHIBIT 156)
- (T) NCISRA GUANTANAMO BAY ROI (INTERIM)/29FEB08

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10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

EXHIBIT(S)

(157) IA: TYPOGRAPHICAL ERRORS DISCOVERED DURING ADMINISTRATIVE
REVIEW OF CASE FILE/24APR08...(COPY ALL)

EXECUTIVE SUMMARY

1. ~~(S/NF)~~ INVESTIGATION WAS INITIATED ON 10JUN06, SUBSEQUENT TO THE RECEIPT OF INFORMATION FROM THE JOINT TASK FORCE GUANTANAMO BAY, CUBA (JTF-GTMO) STAFF JUDGE ADVOCATE (SJA) OF THE DEATH OF THREE DETAINEES, WITHIN JTF-GTMO CAMP DELTA. THE THREE DETAINEES WERE IDENTIFIED AS V/AL ZAHRANI (ISN 093), V/AL TABI (ISN 588), AND V/AHMED (ISN 693). V/AL ZAHRANI WAS FOUND HANGING BY THE NECK INSIDE HIS CELL, IN ALPHA BLOCK, CAMP DELTA, BY JOINT DETENTION GROUP (JDG) PERSONNEL. SUBSEQUENTLY, JDG PERSONNEL DISCOVERED V/AL TABI AND V/AHMED ALSO HANGING BY THEIR NECKS INSIDE THEIR CELLS, IN ALPHA BLOCK. ALL THREE VICTIMS WERE TAKEN DOWN AND IMMEDIATELY TRANSPORTED TO THE DETENTION (DET) CLINIC, INSIDE CAMP DELTA. V/AL ZAHRANI WAS LATER TRANSPORTED VIA AMBULANCE TO THE NAVAL HOSPITAL, GUANTANAMO BAY, CUBA (NAVHOSP GTMO). V/AL ZAHRANI WAS PRONOUNCED DEAD AT NAVHOSP GTMO. V/AL TABI AND V/AHMED WERE BOTH PRONOUNCED DEAD AT THE DET CLINIC.

2. ~~(S/NF)~~ CONTACT WAS MADE WITH THE JDG COMMANDER TO GET AN OVERVIEW OF THE SITUATION. ALL THREE BODIES WERE MOVED PRIOR TO NCIS ARRIVAL ON SCENE. THE DEATH SCENES WERE SECURED. ALL DETAINEES WERE REMOVED FROM ALPHA BLOCK AND THE ENTIRE BLOCK WAS SECURED. INTERVIEWS WERE CONDUCTED WITH ALL JTF-GTMO PERSONNEL WHO HAD ANY DEALINGS WITH THE RESPONSE AND TREATMENT OF THE THREE DETAINEES. APPARENT SUICIDE NOTES WERE DISCOVERED IN THE CLOTHING OF ALL THREE VICTIMS. INTERVIEWS WERE CONDUCTED WITH ALL DETAINEES ASSIGNED TO ALPHA BLOCK; HOWEVER, NONE OF THE INTERVIEWEES PROVIDED ANY SUBSTANTIVE INFORMATION. DEATH SCENE EXAMINATIONS WERE CONDUCTED AT EACH OF THE THREE CELLS WHERE THE VICTIMS WERE FOUND HANGING. ARMED FORCES INSTITUTE OF PATHOLOGY (AFIP) PERSONNEL CONDUCTED AUTOPSIES ON ALL THREE VICTIMS AT NAVHOSP GTMO. FINAL AUTOPSY REPORTS SUBMITTED BY AFIP LISTED THE CAUSE OF DEATH FOR ALL THREE VICTIMS TO BE HANGING AND THE MANNER OF DEATH WAS LISTED AS SUICIDE. LATENT PRINT ANALYSIS OF EVIDENCE SUBMITTED TO US ARMY CRIMINAL INVESTIGATION LABORATORY (USACIL) DETERMINED V/AHMED AND V/AL ZAHRANI'S LATENT FINGERPRINTS WERE CONTAINED ON THEIR APPARENT SUICIDE NOTES FOUND WITHIN OTHER DETAINEE'S CELLS. USACIL FORENSIC DOCUMENT EXAMINATION OF EVIDENCE FOR INDENTED HANDWRITING IMPRESSIONS ONLY FOUND IMPRESSIONS IN THE FORM OF DRAWINGS ON ONE OF THE ITEMS OF EVIDENCE SUBMITTED. NO OTHER IMPRESSIONS OF VALUE WERE NOTED ON ANY OF THE OTHER SUBMITTED ITEMS. THE "FILTER LITIGATION TEAM" REVIEWED DOCUMENTS THAT WERE SEIZED AS EVIDENCE; HOWEVER, ONLY

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SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TWELVE (12) DOCUMENTS WERE DETERMINED TO BE OF POTENTIAL EVIDENTIARY VALUE. USACIL LABORATORY ANALYSIS OF NCISRU GUANTANAMO BAY EVIDENCE LOG #029-06, FOUND NO INDENTED WRITINGS OR FINGERPRINTS, WHICH MATCHED ANY OF THE PREVIOUSLY SUBMITTED PRINTS ON FILE AT USACIL. ON 27JAN07, A NAVY AIR LOGISTICAL OFFICE (NALO) FLIGHT RETURNED THE FILTER LITIGATION TEAM MATERIALS TO GTMO FROM JACKSONVILLE, FL. ON 06JUN07, U.S. SOUTHERN COMMAND (SOUTHCOM), AUTHORIZED THE RETURN OF THE NON-EVIDENTIARY VALUE FILTER LITIGATION TEAM MATERIALS FROM CATERGORIES 2 AND 4 TO JTF-GTMO. ON 12JUN07, NCISRA GTMO RETURNED THE NON-EVIDENTIARY VALUE FILTER LITIGATION TEAM MATERIALS FROM CATERGORIES 2 AND 4 TO JTF-GTMO. FROM 10-13SEP07, THE FILTER LITIGATION TEAM REVIEWED THE TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE. OF THE 12 DOCUMENTS EXAMINED, SIX WERE WRITTEN IN UNKNOWN LANGUAGES AND NOT FURTHER REVIEWED, THREE WERE ATTORNEY CLIENT PRIVILIGED, AND THREE WERE OF POTENTIAL VALUE TO THIS INVESTIGATION. ON 27FEB08, THE SEFO DRP REVIEWED THE INVESTIGATION AND FORWARDED IT TO THE NCISHQ DEATH REVIEW BOARD FOR AUTHORITY TO CLOSE. ON 23APR08, RA CONDUCTED AN ADMINISTRATIVE REVIEW OF THE CASE FILE AND DISCOVERED NUMEROUS ERRORS ASSOCIATED WITH MPGT ROI(INTERIM)/20JUN06. RA MADE THE APPROPRIATE CORRECTIONS AND RETRANSMITTED REVISED REPORTS. INVESTIGATION REMAINS OPEN PENDING REVIEW BY THE NCISHQ DRB.

NARRATIVE

1. (U) THIS IS A REACTIVE INVESTIGATION INITIATED TO DETERMINE CAUSE AND MANNER OF DEATH OF V/AL ZAHRANI, V/AL TABI AND V/AHMED. NO DETERMINATION OF A SPECIFIC STATUTE CAN BE MADE AT THIS TIME.
2. (U) SUBSEQUENT TO THE SUBMISSION OF REFERENCE (T), REPORTING AGENT CONDUCTED AN ADMINISTRATIVE REVIEW OF THE CASE FILE AND DISCOVERED NUMEROUS ERRORS ASSOCIATED WITH MPGT ROI(INTERIM)/20JUN06. THE "HEADER" PORTION OF MPGT ROI(INTERIM)/20JUN06 CONTAINED EXHIBITS THAT WERE LISTED AND/OR DATED INCORRECTLY. SECONDLY, RA DISCOVERED THAT TWO FBI INVESTIGATIVE REPORTS WERE LABELED AS EXHIBIT (91). THE AFOREMENTIONED REPORTS REMAINED AS EXHIBIT (91); HOWEVER, THE EXHIBIT LISTING WAS REVISED TO REFLECT THAT TWO DOCUMENTS ARE NOW CONTAINED IN THE EXHIBIT. THE REMAINING CORRECTIONS WERE MADE AND A REVISED ROI(INTERIM)/20JUN06 WAS RETRANSMITTED.
3. (U) IN ADDITION TO THE ERRORS IDENTIFIED SUPRA, THE FOLLOWING IA'S CONTAINED ERRORS IN THE "HEADER" PORTION: EXHIBIT (5), EXHIBIT (7), EXHIBIT (20), EXHIBIT (26), EXHIBIT (28), EXHIBIT (35), EXHIBIT (75), EXHIBIT (79), EXHIBIT (87), AND EXHIBIT (92). EACH EXHIBIT WAS REVISED TO REFLECT THE CORRECT HEADER INFORMATION AND RETRANSMITTED. THE TEXT OF THE IA'S WAS NOT ALTERED.

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

4. (U) ADDITIONALLY, SEVERAL TYPOGRAPHICAL ERRORS WERE DISCOVERED IN THE TEXT OF IA'S APPENDED TO MPGT ROI(INTERIM)/20JUN06. THE TEXT OF THE IA'S WAS NOT ALTERED; HOWEVER, A NEW IA WAS PREPARED IDENTIFYING EACH OF THE TYPOGRAPHICAL ERRORS AS WELL AS THE IA'S WHICH CONTAINED THEM. EXHIBIT (157) PROVIDES DETAILS.

5. (U) ON 27FEB08, THE SEFO DRP CONVENED TO REVIEW THE CAPTIONED INVESTIGATION AND, SUBSEQUENTLY, FORWARDED THE INVESTIGATION TO THE NCISHQ DRB FOR AUTHORITY TO CLOSE THE INVESTIGATION. THIS INVESTIGATION REMAINS PENDING REVIEW BY THE NCISHQ DRB. INVESTIGATION CONTINUES.

DISTRIBUTION

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INFO: MPMP/ADLANT/COMMANDER JTF-GTMO (SJA) (H)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

24APR08

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

TYPOGRAPHICAL ERRORS DISCOVERED DURING ADMINISTRATIVE REVIEW OF CASE FILE

FOLLOW-ON Investigative Action (IA) addressing errors discovered during administrative review.

1. On 23Apr08, Reporting Agent conducted an administrative review of the case file for the captioned investigation. During the administrative review, RA identified multiple IAs containing typographical errors in the "Text" of the document. Each IA containing an error in the text is identified below by Exhibit# and the Report of Investigation (ROI) to which it was appended. In addition, the specific error is listed as well as the necessary correction.

MPGT ROI (INTERIM)/20JUN06

-Exhibit (5): The second sentence of the first paragraph under the section labeled "NARRATIVE" states "Reporting Agent (RA) interviewed (b)(3):10 USC §130b.(b)(6) at Camp Delta, Bldg 1, regarding his knowledge of the circumstances surrounding the discovery of three detainees, hanging inside Alpha Block cells, during the early morning hours of 10Jun06." The sentence should have identified (b)(3):10 USC (b)(3):10 USC as the person who was interviewed, vice (b)(3):10 USC

-Exhibit (7): The first sentence of the second paragraph states that, "On 10Jun05, 0039 hours, three detainees being held at Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO) were found by Joint Detention Group (JDG) personnel hanging by their necks." The date was erroneously entered and should be 10Jun06, vice 10Jun05.

-Exhibit (43): The first sentence of the first paragraph states that, "On 10Jun05, 0039 hours, three detainees being held at Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO) were found by Joint Detention Group (JDG) personnel hanging by their necks." The date was erroneously entered and should be 10Jun06, vice 10Jun05.

-Exhibit (73): The first sentence of the second paragraph states that, "On 10Jun05, 0039 hours, three detainees being held at Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO) were found by Joint Detention Group (JDG) personnel hanging by their necks." The date was erroneously entered and should be 10Jun06, vice 10Jun05.

-Exhibit (75) The first sentence of the second paragraph below the heading "NARRATIVE" states, "As background, on 10Jun05, 0039 hours, three detainees being held at Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO) were found by Joint Detention Group (JDG) personnel

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EXHIBIT (157)

SUBJ: V/AL ZAHRANI, YER TALAL/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

hanging by their necks." The date was erroneously entered and should be 10Jun06, vice 10Jun05.

-Exhibit (79): The first sentence of the second paragraph below the heading "NARRATIVE" states, "As background, on 10Jun05, 0039 hours, three detainees being held at Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO) were found by Joint Detention Group (JDG) personnel hanging by their necks." The date was erroneously entered and should be 10Jun06, vice 10Jun05.

-Exhibit (87): The first sentence of the second paragraph below the heading "NARRATIVE" states, "As background, on 10Jun05, 0039 hours, three detainees being held at Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO) were found by Joint Detention Group (JDG) personnel hanging by their necks." The date was erroneously entered and should be 10Jun06, vice 10Jun05.

-Exhibit (92): The first sentence of the second paragraph below the heading "NARRATIVE" states, "As background, on 10Jun05, 0039 hours, three detainees being held at Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO) were found by Joint Detention Group (JDG) personnel hanging by their necks." The date was erroneously entered and should be 10Jun06, vice 10Jun05.

REPORTED BY: (b)(7)(C) SPECIAL AGENT
OFFICE: NCISRU GUANTANAMO BAY, CUBA

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LAST

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U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

29FEB08

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV

M/W/FNSA/N//26DEC83/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTM/ISN: 93/CELL A-8

V/AL TABI, MANA SHAMAN ALLABARD/CIV

M/W/FNSA/N//01JAN76/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTMO/ISN: 588/CELL A-12

V/AHMED, ALI ABDULLA H/CIV

M/W/FNYM/N//01AUG79/YEMEN

SUPP: DETAINEE BEING HELD AT JTF-GMTO/ISN: 693/CELL A-5

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA/(b)(7)(C)

SPECIAL

AGENT

REFERENCE(S)

- (A) NCISRU GUANTANAMO BAY ROI (INTERIM)/20JUN06... (CONTAINS EXHIBITS 1-114)
- (B) NCISRU GUANTANAMO BAY ROI (INTERIM)/25JUL06... (CONTAINS EXHIBITS 115-143)
- (C) NCISRU GUANTANAMO BAY ROI (INTERIM)/25AUG06... (CONTAINS EXHIBITS 144-152)
- (D) NCISRU GUANTANAMO BAY ROI (INTERIM)/25SEP06
- (E) NCISRU GUANTANAMO BAY ROI (INTERIM)/24OCT06... (CONTAINS EXHIBIT 153)
- (F) NCISRU GUANTANAMO BAY ROI (INTERIM)/17NOV06
- (G) NCISRU GUANTANAMO BAY ROI (INTERIM)/11DEC06... (CONTAINS EXHIBITS 154-155)
- (H) NCISRU GUANTANAMO BAY ROI (INTERIM)/10JAN07
- (I) NCISRU GUANTANAMO BAY ROI (INTERIM)/09FEB07
- (J) NCISRU GUANTANAMO BAY ROI (INTERIM)/09MAR07
- (K) NCISRA GUANTANAMO BAY ROI (INTERIM)/09APR07
- (L) NCISRA GUANTANAMO BAY ROI (INTERIM)/09MAY07
- (M) NCISRA GUANTANAMO BAY ROI (INTERIM)/05JUN07
- (N) NCISRA GUANTANAMO BAY ROI (INTERIM)/05JUL07
- (O) NCISRA GUANTANAMO BAT ROI (INTERIM)/05AUG07
- (P) NCISRA GUANTANAMO BAY ROI (INTERIM)/13SEP07
- (Q) NCISRA GUANTANAMO BAY ROI (INTERIM)/12OCT07
- (R) NCISRA GUANTANAMO BAY ROI (INTERIM)/21NOV07
- (S) NCISRA GUANTANAMO BAY ROI (INTERIM)/20DEC07

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NCIS 7

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10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

EXECUTIVE SUMMARY

1. ~~(S/NF)~~ INVESTIGATION WAS INITIATED ON 10JUN06, SUBSEQUENT TO THE RECEIPT OF INFORMATION FROM THE JOINT TASK FORCE GUANTANAMO BAY, CUBA (JTF-GTMO) STAFF JUDGE ADVOCATE (SJA) OF THE DEATH OF THREE DETAINEES, WITHIN JTF-GTMO CAMP DELTA. THE THREE DETAINEES WERE IDENTIFIED AS V/AL ZAHRANI (ISN 093), V/AL TABI (ISN 588), AND V/AHMED (ISN 693). V/AL ZAHRANI WAS FOUND HANGING BY THE NECK INSIDE HIS CELL, IN ALPHA BLOCK, CAMP DELTA, BY JOINT DETENTION GROUP (JDG) PERSONNEL. SUBSEQUENTLY, JDG PERSONNEL DISCOVERED V/AL TABI AND V/AHMED ALSO HANGING BY THEIR NECKS INSIDE THEIR CELLS, IN ALPHA BLOCK. ALL THREE VICTIMS WERE TAKEN DOWN AND IMMEDIATELY TRANSPORTED TO THE DETENTION (DET) CLINIC, INSIDE CAMP DELTA. V/AL ZAHRANI WAS LATER TRANSPORTED VIA AMBULANCE TO THE NAVAL HOSPITAL, GUANTANAMO BAY, CUBA (NAVHOSP GTMO). V/AL ZAHRANI WAS PRONOUNCED DEAD AT NAVHOSP GTMO. V/AL TABI AND V/AHMED WERE BOTH PRONOUNCED DEAD AT THE DET CLINIC.

2. ~~(S/NF)~~ CONTACT WAS MADE WITH THE JDG COMMANDER TO GET AN OVERVIEW OF THE SITUATION. ALL THREE BODIES WERE MOVED PRIOR TO NCIS ARRIVAL ON SCENE. THE DEATH SCENES WERE SECURED. ALL DETAINEES WERE REMOVED FROM ALPHA BLOCK AND THE ENTIRE BLOCK WAS SECURED. INTERVIEWS WERE CONDUCTED WITH ALL JTF-GTMO PERSONNEL WHO HAD ANY DEALINGS WITH THE RESPONSE AND TREATMENT OF THE THREE DETAINEES. APPARENT SUICIDE NOTES WERE DISCOVERED IN THE CLOTHING OF ALL THREE VICTIMS. INTERVIEWS WERE CONDUCTED WITH ALL DETAINEES ASSIGNED TO ALPHA BLOCK, HOWEVER, NONE OF THE INTERVIEWEES COULD PROVIDE ANY SUBSTANTIVE INFORMATION. DEATH SCENE EXAMINATIONS WERE CONDUCTED OF THE THREE CELLS WHERE THE VICTIMS WERE FOUND HANGING. ARMED FORCES INSTITUTE OF PATHOLOGY (AFIP) PERSONNEL CONDUCTED AUTOPSIES AT NAVHOSP GTMO, ON ALL THREE VICTIMS. FINAL AUTOPSY REPORTS SUBMITTED BY AFIP LISTED THE CAUSE OF DEATH FOR ALL THREE VICTIMS TO BE HANGING AND THE MANNER OF DEATH WAS LISTED AS SUICIDE. LATENT PRINT ANALYSIS OF EVIDENCE SUBMITTED TO US ARMY CRIMINAL INVESTIGATION LABORATORY (USACIL) DETERMINED V/AHMED AND V/AL ZAHRANI'S LATENT FINGERPRINTS WERE CONTAINED ON THEIR APPARENT SUICIDE NOTES FOUND WITHIN OTHER DETAINEE'S CELLS. USACIL FORENSIC DOCUMENT EXAMINATION OF EVIDENCE FOR INDENTED HANDWRITING IMPRESSIONS ONLY FOUND IMPRESSIONS IN THE FORM OF DRAWINGS ON ONE OF THE ITEMS OF EVIDENCE SUBMITTED. NO OTHER IMPRESSIONS OF VALUE WERE NOTED ON ANY OF THE OTHER SUBMITTED ITEMS. THE REVIEW BY THE "FILTER LITIGATION TEAM" WAS CONDUCTED FROM 23OCT06-03NOV06 OF THE DOCUMENTS SEIZED AS EVIDENCE FROM THROUGHOUT THE CAMPS. THE MAJORITY OF THE ITEMS WERE REVIEWED WITH ONLY TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE BEING SEIZED. USACIL LABORATORY ANALYSIS OF NCISRU GUANTANAMO BAY EVIDENCE LOG #029-06, FOUND NO INDENTED WRITINGS OR FINGERPRINTS, WHICH MATCHED ANY

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PAGE 2 OF 3 (b)(7)(C)

NCIS 8

~~SECRET/NOFORN~~

10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

OF THE PREVIOUSLY SUBMITTED PRINTS ON FILE AT USACIL. ON 27JAN07, A NAVY AIR LOGISTICAL OFFICE (NALO) FLIGHT RETURNED THE FILTER LITIGATION TEAM MATERIALS TO GTMO FROM JACKSONVILLE, FL. ON 06JUN07, U.S. SOUTHERN COMMAND (SOUTHCOM), AUTHORIZED THE RETURN OF THE NON-EVIDENTIARY VALUE FILTER LITIGATION TEAM MATERIALS FROM CATERGORIES 2 AND 4 TO JTF-GTMO. ON 12JUN07, NCISRA GTMO RETURNED THE NON-EVIDENTIARY VALUE FILTER LITIGATION TEAM MATERIALS FROM CATERGORIES 2 AND 4 TO JTF-GTMO. FROM 10-13SEP07, THE FILTER LITIGATION TEAM REVIEWED THE TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE. OF THE 12 DOCUMENTS REVIEWED, SIX WERE WRITTEN IN UNKNOWN LANGUAGES AND NOT REVIEWED, THREE WERE ATTORNEY CLIENT PRIVILIGED, AND THREE WERE OF POTENTIAL VALUE TO THIS INVESTIGATION. ON 08AUG07, A LEAD WAS SENT TO SOUTHEAST FIELD OFFICE (SEFO) REQUESTING REVIEW BY THE SEFO DEATH REVIEW PANEL (DRP) FOR ADMINISTRATIVE CLOSURE.

NARRATIVE

1. (U) THIS IS A REACTIVE INVESTIGATION INITIATED TO DETERMINE CAUSE AND MANNER OF DEATH OF V/AL ZAHRANI, V/AL TABI AND V/AHMED. NO DETERMINATION OF A SPECIFIC STATUTE CAN BE MADE AT THIS TIME.

2. (U) SUBSEQUENT TO THE SUBMISSION OF REFERENCE (O), THIS INVESTIGATION REMAINS PENDING RESULTS OF THE SEFO DRP REVIEW AND AUTHORITY FOR ADMINISTRATIVE CLOSURE. INVESTIGATION CONTINUES.

DISTRIBUTION

NCISHQ (SI): 0023B

INFO: MPMP/ADLANT/COMMANDER JTF-GTMO (SJA) (H)

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U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

20DEC07

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV

M/W/FNSA/N//26DEC83/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTM/ISN: 93/CELL A-8

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M/W/FNSA/N//01JAN76/SAUDI ARABIA

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V/AHMED, ALI ABDULLA H/CIV

M/W/FNYM/N//01AUG79/YEMEN

SUPP: DETAINEE BEING HELD AT JTF-GMTO/ISN: 693/CELL A-5

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA/(b)(7)(C)

SPECIAL
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- (Q) NCISRA GUANTANAMO BAY ROI (INTERIM)/12OCT07
- (R) NCISRA GUANTANAMO BAY ROI (INTERIM)/21NOV07

EXHIBIT(S)

- (156) IA: REVIEW OF SEIZED DOCUMENTS FROM CAMP DELTA DURING SECOND FILTER TEAM REVIEW/05OCT07

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NCIS

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10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

EXECUTIVE SUMMARY

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PAGE 2 OF 3 (b)(7)

(C)

NCIS

~~SECRET/NOFORN~~

10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

OF THE PREVIOUSLY SUBMITTED PRINTS ON FILE AT USACIL. ON 27JAN07, A NAVY AIR LOGISTICAL OFFICE (NALO) FLIGHT RETURNED THE FILTER LITIGATION TEAM MATERIALS TO GTMO FROM JACKSONVILLE, FL. ON 06JUN07, U.S. SOUTHERN COMMAND (SOUTHCOM), AUTHORIZED THE RETURN OF THE NON-EVIDENTIARY VALUE FILTER LITIGATION TEAM MATERIALS FROM CATERGORIES 2 AND 4 TO JTF-GTMO. ON 12JUN07, NCISRA GTMO RETURNED THE NON-EVIDENTIARY VALUE FILTER LITIGATION TEAM MATERIALS FROM CATERGORIES 2 AND 4 TO JTF-GTMO. FROM 10-13SEP07, THE FILTER LITIGATION TEAM REVIEWED THE TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE. OF THE 12 DOCUMENTS REVIEWED, SIX WERE WRITTEN IN UNKNOWN LANGUAGES AND NOT REVIEWED, THREE WERE ATTORNEY CLIENT PRIVILIGED, AND THREE WERE OF POTENTIAL VALUE TO THIS INVESTIGATION. ON 08AUG07, A LEAD WAS SENT TO SOUTHEAST FIELD OFFICE (SEFO) REQUESTING REVIEW BY THE SEFO DEATH REVIEW PANEL (DRP) FOR ADMINISTRATIVE CLOSURE.

NARRATIVE

1. (U) THIS IS A REACTIVE INVESTIGATION INITIATED TO DETERMINE CAUSE AND MANNER OF DEATH OF V/AL ZAHRANI, V/AL TABI AND V/AHMED. NO DETERMINATION OF A SPECIFIC STATUTE CAN BE MADE AT THIS TIME.
2. (U) SUBSEQUENT TO THE SUBMISSION OF REFERENCE (Q), THE REPORTING OFFICE RECEIVED RESULTS OF DOCUMENT REVIEWS CONDUCTED BY THE FILTER LITIGATION TEAM (FLT) FROM 10-13SEP07, EXHIBIT (156) PROVIDES DETAILS. OF THE 12 DOCUMENTS THAT WERE REVIEWED BY THE FLT, THREE WERE IDENTIFIED AS RELEASABLE TO NCIS AND RELEVANT TO THIS DEATH INVESTIAGTION. OF THE REMAINING NINE DOCUMENTS, ONE WAS IDENTIFIED AS CATEGORY 1 (RELEVANT TO NCIS INVESTIGATION, BUT ATTORNEY CLIENT PRIVILIGED), TWO WERE IDENTIFIED AS CATEGORY 2V (NOT RELEVANT TO THE INVESTIGAION, ATTORNEY CLIENT PRIVILIGED, AND VIOLATES THE PROTECTIVE ORDER) AND SIX WERE NOT REVIEWED BECAUSE THEY WERE WRITTEN IN UNKNOWN LANGUAGES.
3. ON 10DEC07, REPORTING OFFICE RECEIVED THREE BOXES CONTAINING ADDITIONAL DOCUMENTS THAT WERE REVIEWED BY THE FLT AND DETERMINED TO BE OF NON-EVIDENTIARY VALUE (CATEGORIES 2 AND 4). SOUTHCOM HAS AUTHORIZED THE RETURN OF THESE OF DOCUEMNTS, WHICH IS BEING COORDINATED WITH JTF-GTMO. THIS INVESTIGATION CONTINUES PENDING REVIEW OF THE THREE DOCUMENTS IDENTIFIED BY THE FILTER LITIGATION TEAM AS RELEVANT TO THIS INVESTIGAION AND REVIEW OF THIS INVESTIGTAION BY THE SEFO DRP.

DISTRIBUTION

NCISHQ (SI): 0023B

INFO: MPMP/ADLANT/COMMANDER JTF-GTMO (SJA) (H)

DERIVED FROM: OPNAVINST S5513-4C

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(C)

NCIS 2

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

05OCT07

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GITMO

REVIEW OF SEIZED DOCUMENTS FROM CAMP DELTA DURING SECOND FILTER TEAM REVIEW

1. As background, on 10Jun06, an investigation was initiated following the receipt of information from the Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO) Staff Judge Advocate (SJA) concerning the death of three detainees within JTF-GTMO Camp Delta. During the course of the investigation, death-scene examinations were conducted, and various documents from detainees being held in Camp Delta were seized by the Naval Criminal Investigative Service.

2. Based on the fact that documents seized might be covered by attorney-client privilege, the U.S. Department of Justice instructed that a Filter Team would review and sort all seized material for relevance to the ongoing death investigation and for attorney-client privilege. On 23Oct06, this Filter Team was established consisting of an NCIS Supervisory Special Agent (SSA) acting as the Filter Team Leader, two NCIS Special Agents, four Naval Officers of the Judge Advocate General's Corps (JAGC), two Naval Enlisted administrative personnel, four foreign language translators, and one NCIS Evidence Custodian. On 10 September 2007, the Filter Team met again to review those document not sighted during the previous review. This second Filter Team consisted of one NCIS Supervisory Special Agent (SSA) acting as the Filter Team Leader, two Naval Officers of the Judge Advocate General's Corps (JAGC), one Naval Enlisted administrative person, two foreign language translators, and one NCIS Evidence Custodian. Specific instructions and restrictions were levied on each Filter Team member concerning all documents they reviewed. Enclosure (A) pertains.

3. All documents that did not contain information relating to future acts of imminent violence or that threaten national security were broken down into the four categories as noted below:

- a. Category 1: Documents that are relevant to the NCIS investigation and are also attorney-client privileged.
- b. Category 2: Documents that are not relevant to the NCIS investigation, but are attorney-client privileges.

Category 2V: Category 2 material that violates the protective order.

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05OCT07

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

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CONTENTS MAY NOT BE DISCLOSED TO THE PARTY(S) CONCERNED WITHOUT SPECIFIC AUTHORIZATION
FROM THE NAVAL CRIMINAL INVESTIGATIVE SERVICE

EXHIBIT (154)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

- c. Category 3: Documents that are relevant to the NCIS investigation and are not attorney-client privileged.
- d. Category 4: Documents that are not relevant to the NCIS investigation and are not attorney-client privileged.

Once categorized, the following procedures directed by the Justice Department were followed:

- a. Category 1: The Filter Team will retain the Category 1 documents until it receives specific written instructions regarding their disclosure from the Department of Justice Filter Litigation Team (FLT). No disclosure of Category 1 documents may be made by the Filter Team prior to receiving documented consent of detainee's counsel or court order.
- b. Category 2: If the information does not appear to violate the parameters of the Protective Order, the Filter Team must return all documents in Category 2 directly to the detainee. The documents should not be disclosed to JTF-GTMO command or to NCIS. If it appears that the information violates the parameters of the Protective Order, the document must be forwarded to the Filter Litigation Team. (Sub-category 2V created to identify documents which violate the Protective Order).
- c. Category 3: The Filter Team should disclose all documents in Category 3 directly to NCIS. When NCIS has completed its investigation, the documents should be returned to JTF-GTMO for redistribution to the detainees to whom the documents belong, as appropriate.
- d. Category 4: The Filter Team should return all documents directly to JTF-GTMO. JTF-GTMO should return the documents to the detainees to whom the documents belong, as appropriate.

4. The Filter Team initially met from 23 October 2006 through 03 November 2006 and then met a second time from 10 September 2007 through 13 September 2007. During the second screening six (6) Document Review Forms could not be translated. They are described as

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05OCT07

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

follows:

DRF 382	DNR: 008378-008381	believed to be Ughour, Iraqi Kurdish, or Uzbek best guess is Somalian
DRF 634	DNR: 012506-012509	
DRF 706	DNR: 070010-070034	believed to be Tajik or Chechen
DRF 975	DNR: 017427-017430	believed to be Uzbek Or phonetic Arabic using Cyrillic letters best guess is Bengali
DRF 1093	DNR: 075050-075052	
DRF 1219	DNR: 021529-021530, 021533-021536, 021538-021540	believed to be Cyrillic letters, unknown language

These documents remain in secure storage at the NCIS Mayport Field Office awaiting further instructions from DOJ. In addition, one Category 1, two Category 2V, and three Category 3 documents are being retained at the NCIS Mayport Field Office.

5. The Category 1 document appears to be instructions concerning the development of a system for the detainees to communicate with each other. This Category 1 document is attorney-client privileged and cannot be viewed by NCIS investigators prior to review by the DOJ Filter Litigation Team and receipt of consent from detainee's counsel or court order.

6. The two Category 2v documents are lists of detainees by ISN and country. They were determined to be attorney-client privileged and they also violated the protective order. These documents cannot be viewed by NCIS investigators prior to review by the DOJ Filter Litigation Team and receipt of consent from detainee's counsel or court order.

7. The three Category 3 documents consist of one copy of an email from a US Army Major to multiple recipients describing the intended cell placement of detainees on a hunger strike, an original Army CID evidence custody document, and the third document was a record of surreptitious meetings by detainees that referenced the suicides at the facility. It should be noted that this third document may relate to discussions of the suicides after they had occurred. The third document may or may not pertain to the NCIS investigation. All three of these documents are not covered by attorney-client privilege and can be viewed by NCIS investigators.

8. Five (5) binders containing the DRFs, numbered by the Filter Team in sequence from 1 to 1608, are secured at the NCIS Mayport Field

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FROM THE NAVAL CRIMINAL INVESTIGATIVE SERVICE~~

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

10JUN06-MPGT-0031-7HNA

05OCT07

OBJ: V/AL ZAHRANI, YASSER TALAL/CIV

Office. An MS Excel database was also created with one entry for each DRF, using the existing database created by NCIS to document the seized material. As NCIS initially classified the database SECRET, it remains so classified, though there is no reason for such classification. The database was used as data backup and for cross checking the accuracy and completeness of the DRF binders.

9. The one (1) Category 1 document and the two (2) Category 2V documents are being retained at the NCIS Mayport Field Office along with the six documents that are in unidentified languages awaiting further direction from DOJ. The three Category 3 documents, which are also being retained at the NCIS Mayport Field Office, can be reviewed by NCIS investigators at this time for their relevance the ongoing criminal investigation and then return to JTF-GTMO.

ENCLOSURE(S)

(A) Department of Justice Filter Team Procedures/undated

REPORTED BY: (b)(7)(C) SUPERVISORY SPECIAL AGENT
OFFICE: NCISRA CAMP LEJEUNE, NC

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CONTENTS MAY BE DISCLOSED ONLY TO PERSONS WHOSE OFFICIAL DUTIES REQUIRE ACCESS HERETO...
CONTENTS MAY NOT BE DISCLOSED TO THE PARTY(IES) CONCERNED WITHOUT SPECIFIC AUTHORIZATION
FROM THE NAVAL CRIMINAL INVESTIGATIVE SERVICE~~

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withheld entirely at this location. One or more of the following explain this decision:

✓ Documents originated with other government agency(ies).
Referred for review and direct response to you.

Pages contain information furnished by other government agency(ies). We will advise you of releasability of information following consultation with agency(ies).

Comments: Referred to Department
of Justice

NCIS

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U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

21NOV07

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV

M/W/FNSA/N//26DEC83/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTM/ISN: 93/CELL A-8

V/AL TABI, MANA SHAMAN ALLABARD/CIV

M/W/FNSA/N//01JAN76/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTMO/ISN: 588/CELL A-12

V/AHMED, ALI ABDULLA H/CIV

M/W/FNYM/N//01AUG79/YEMEN

SUPP: DETAINEE BEING HELD AT JTF-GTMO/ISN: 693/CELL A-5

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA (b)(7)(C) SPECIAL
AGENT

REFERENCE(S)

- (A) NCISRU GUANTANAMO BAY ROI (INTERIM)/20JUN06... (CONTAINS EXHIBITS 1-114)
- (B) NCISRU GUANTANAMO BAY ROI (INTERIM)/25JUL06... (CONTAINS EXHIBITS 115-143)
- (C) NCISRU GUANTANAMO BAY ROI (INTERIM)/25AUG06... (CONTAINS EXHIBITS 144-152)
- (D) NCISRU GUANTANAMO BAY ROI (INTERIM)/25SEP06
- (E) NCISRU GUANTANAMO BAY ROI (INTERIM)/24OCT06... (CONTAINS EXHIBIT 153)
- (F) NCISRU GUANTANAMO BAY ROI (INTERIM)/17NOV06
- (G) NCISRU GUANTANAMO BAY ROI (INTERIM)/11DEC06... (CONTAINS EXHIBITS 154-155)
- (H) NCISRU GUANTANAMO BAY ROI (INTERIM)/10JAN07
- (I) NCISRU GUANTANAMO BAY ROI (INTERIM)/09FEB07
- (J) NCISRU GUANTANAMO BAY ROI (INTERIM)/09MAR07
- (K) NCISRA GUANTANAMO BAY ROI (INTERIM)/09APR07
- (L) NCISRA GUANTANAMO BAY ROI (INTERIM)/09MAY07
- (M) NCISRA GUANTANAMO BAY ROI (INTERIM)/05JUN07
- (N) NCISRA GUANTANAMO BAY ROI (INTERIM)/05JUL07
- (O) NCISRA GUANTANAMO BAT ROI (INTERIM)/05AUG07
- (P) NCISRA GUANTANAMO BAY ROI (INTERIM)/13SEP07
- (Q) NCISRA GUANTANAMO BAY ROI (INTERIM)/12OCT07

EXECUTIVE SUMMARY

1. (S//NF) INVESTIGATION WAS INITIATED ON 10JUN06, SUBSEQUENT TO THE RECEIPT OF INFORMATION FROM THE JOINT TASK FORCE GUANTANAMO BAY, CUBA (JTF-GTMO) STAFF JUDGE ADVOCATE (SJA) OF THE DEATH OF THREE DETAINEES, WITHIN JTF-GTMO CAMP DELTA. THE THREE DETAINEES

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10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

WERE IDENTIFIED AS V/AL ZAHRANI (ISN 093), V/AL TABI (ISN 588), AND V/AHMED (ISN 693). V/AL ZAHRANI WAS FOUND HANGING BY THE NECK INSIDE HIS CELL, IN ALPHA BLOCK, CAMP DELTA, BY JOINT DETENTION GROUP (JDG) PERSONNEL. SUBSEQUENTLY, JDG PERSONNEL DISCOVERED V/AL TABI AND V/AHMED ALSO HANGING BY THEIR NECKS INSIDE THEIR CELLS, IN ALPHA BLOCK. ALL THREE VICTIMS WERE TAKEN DOWN AND IMMEDIATELY TRANSPORTED TO THE DETENTION (DET) CLINIC, INSIDE CAMP DELTA. V/AL ZAHRANI WAS LATER TRANSPORTED VIA AMBULANCE TO THE NAVAL HOSPITAL, GUANTANAMO BAY, CUBA (NAVHOSP GTMO). V/AL ZAHRANI WAS PRONOUNCED DEAD AT NAVHOSP GTMO. V/AL TABI AND V/AHMED WERE BOTH PRONOUNCED DEAD AT THE DET CLINIC.

2. (S/NF) CONTACT WAS MADE WITH THE JDG COMMANDER TO GET AN OVERVIEW OF THE SITUATION. ALL THREE BODIES WERE MOVED PRIOR TO NCIS ARRIVAL ON SCENE. THE DEATH SCENES WERE SECURED. ALL DETAINEES WERE REMOVED FROM ALPHA BLOCK AND THE ENTIRE BLOCK WAS SECURED. INTERVIEWS WERE CONDUCTED WITH ALL JTF-GTMO PERSONNEL WHO HAD ANY DEALINGS WITH THE RESPONSE AND TREATMENT OF THE THREE DETAINEES. APPARENT SUICIDE NOTES WERE DISCOVERED IN THE CLOTHING OF ALL THREE VICTIMS. INTERVIEWS WERE CONDUCTED WITH ALL DETAINEES ASSIGNED TO ALPHA BLOCK, HOWEVER, NONE OF THE INTERVIEWEES COULD PROVIDE ANY SUBSTANTIVE INFORMATION. DEATH SCENE EXAMINATIONS WERE CONDUCTED OF THE THREE CELLS WHERE THE VICTIMS WERE FOUND HANGING. ARMED FORCES INSTITUTE OF PATHOLOGY (AFIP) PERSONNEL CONDUCTED AUTOPSIES AT NAVHOSP GTMO, ON ALL THREE VICTIMS. FINAL AUTOPSY REPORTS SUBMITTED BY AFIP LISTED THE CAUSE OF DEATH FOR ALL THREE VICTIMS TO BE HANGING AND THE MANNER OF DEATH WAS LISTED AS SUICIDE. LATENT PRINT ANALYSIS OF EVIDENCE SUBMITTED TO US ARMY CRIMINAL INVESTIGATION LABORATORY (USACIL) DETERMINED V/AHMED AND V/AL ZAHRANI'S LATENT FINGERPRINTS WERE CONTAINED ON THEIR APPARENT SUICIDE NOTES FOUND WITHIN OTHER DETAINEE'S CELLS. USACIL FORENSIC DOCUMENT EXAMINATION OF EVIDENCE FOR INDENTED HANDWRITING IMPRESSIONS ONLY FOUND IMPRESSIONS IN THE FORM OF DRAWINGS ON ONE OF THE ITEMS OF EVIDENCE SUBMITTED. NO OTHER IMPRESSIONS OF VALUE WERE NOTED ON ANY OF THE OTHER SUBMITTED ITEMS. THE REVIEW BY THE "FILTER LITIGATION TEAM" WAS CONDUCTED FROM 23OCT06-03NOV06 OF THE DOCUMENTS SEIZED AS EVIDENCE FROM THROUGHOUT THE CAMPS. THE MAJORITY OF THE ITEMS WERE REVIEWED WITH ONLY TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE BEING SEIZED. USACIL LABORATORY ANALYSIS OF NCISRU GUANTANAMO BAY EVIDENCE LOG #029-06, FOUND NO INDENTED WRITINGS OR FINGERPRINTS, WHICH MATCHED ANY OF THE PREVIOUSLY SUBMITTED PRINTS ON FILE AT USACIL. ON 27JAN07, A NAVY AIR LOGISTICAL OFFICE (NALO) FLIGHT RETURNED THE FILTER LITIGATION TEAM MATERIALS TO GTMO FROM JACKSONVILLE, FL.

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10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

ON 06JUN07, U.S. SOUTHERN COMMAND (SOUTHCOM), AUTHORIZED THE RETURN OF THE NON-EVIDENTIARY VALUE FILTER LITIGATION TEAM MATERIALS FROM CATERGORIES 2 AND 4 TO JTF-GTMO. ON 12JUN07, NCISRA GTMO RETURNED ALL THE NON-EVIDENTIARY VALUE FILTER LITIGATION TEAM MATERIALS FROM CATERGORIES 2 AND 4 TO JTF-GTMO. FROM 10-13SEP07, THE FILTER LITIGATION TEAM REVIEWED THE TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE; HOWEVER, THE REPORTING AGENT HAS NOT YET RECEIVED COMPLETE RESULTS OF THE DOCUMENT REVIEWS. ON 08AUG07, A LEAD WAS SENT TO SOUTHEAST FIELD OFFICE (SEFO) REQUESTING REVIEW BY THE SEFO DEATH REVIEW PANEL (DRP) FOR ADMINISTRATIVE CLOSURE.

NARRATIVE

1. (U) THIS IS A REACTIVE INVESTIGATION INITIATED TO DETERMINE CAUSE AND MANNER OF DEATH OF V/AL ZAHRANI, V/AL TABI AND V/AHMED. NO DETERMINATION OF A SPECIFIC STATUTE CAN BE MADE AT THIS TIME.
2. (U) SUBSEQUENT TO THE SUBMISSION OF REFERENCE (P), THE FILTER LITIGATION TEAM CONVENED, FROM 10-13SEP07, AND REVIEWED THE REMAINING TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE. INVESTIGATION CONTINUES AND IS PENDING RECEIPT OF RESULTS (MAILED COPY) OF THE DOCUMENT REVIEWS BY THE FILTER LITIGATION TEAM AND AUTHORIZATION FOR ADMINISTRATIVE CLOSURE.

DISTRIBUTION

NCISHQ (SI): 0023B

INFO: MPMP/ADLANT/COMMANDER JTF-GTMO (SJA) (H)

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U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

12OCT07

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV

M/W/FNSA/N//26DEC83/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTM/ISN: 93/CELL A-8

V/AL TABI, MANA SHAMAN ALLABARD/CIV

M/W/FNSA/N//01JAN76/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTMO/ISN: 588/CELL A-12

V/AHMED, ALI ABDULLA H/CIV

M/W/FNYM/N//01AUG79/YEMEN

SUPP: DETAINEE BEING HELD AT JTF-GMTO/ISN: 693/CELL A-5

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA/ (b)(7)(C) SPECIAL
AGENT

REFERENCE(S)

- (A) NCISRU GUANTANAMO BAY ROI (INTERIM)/20JUN06... (CONTAINS EXHIBITS 1-114)
- (B) NCISRU GUANTANAMO BAY ROI (INTERIM)/25JUL06... (CONTAINS EXHIBITS 115-143)
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- (E) NCISRU GUANTANAMO BAY ROI (INTERIM)/24OCT06... (CONTAINS EXHIBIT 153)
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- (G) NCISRU GUANTANAMO BAY ROI (INTERIM)/11DEC06... (CONTAINS EXHIBITS 154-155)
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- (I) NCISRU GUANTANAMO BAY ROI (INTERIM)/09FEB07
- (J) NCISRU GUANTANAMO BAY ROI (INTERIM)/09MAR07
- (K) NCISRA GUANTANAMO BAY ROI (INTERIM)/09APR07
- (L) NCISRA GUANTANAMO BAY ROI (INTERIM)/09MAY07
- (M) NCISRA GUANTANAMO BAY ROI (INTERIM)/05JUN07
- (N) NCISRA GUANTANAMO BAY ROI (INTERIM)/05JUL07
- (O) NCISRA GUANTANAMO BAT ROI (INTERIM)/05AUG07
- (P) NCISRA GUANTANAMO BAY ROI (INTERIM)/13SEP07

EXECUTIVE SUMMARY

1. (S/NF) INVESTIGATION WAS INITIATED ON 10JUN06, SUBSEQUENT TO THE RECEIPT OF INFORMATION FROM THE JOINT TASK FORCE GUANTANAMO BAY, CUBA (JTF-GTMO) STAFF JUDGE ADVOCATE (SJA) OF THE DEATH OF THREE DETAINEES, WITHIN JTF-GTMO CAMP DELTA. THE THREE DETAINEES WERE IDENTIFIED AS V/AL ZAHRANI (ISN 093), V/AL TABI (ISN 588),

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~~SECRET/NOFORN~~

10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

AND V/AHMED (ISN 693). V/AL ZAHRANI WAS FOUND HANGING BY THE NECK INSIDE HIS CELL, IN ALPHA BLOCK, CAMP DELTA, BY JOINT DETENTION GROUP (JDG) PERSONNEL. SUBSEQUENTLY, JDG PERSONNEL DISCOVERED V/AL TABI AND V/AHMED ALSO HANGING BY THEIR NECKS INSIDE THEIR CELLS, IN ALPHA BLOCK. ALL THREE VICTIMS WERE TAKEN DOWN AND IMMEDIATELY TRANSPORTED TO THE DETENTION (DET) CLINIC, INSIDE CAMP DELTA. V/AL ZAHRANI WAS LATER TRANSPORTED VIA AMBULANCE TO THE NAVAL HOSPITAL, GUANTANAMO BAY, CUBA (NAVHOSP GTMO). V/AL ZAHRANI WAS PRONOUNCED DEAD AT NAVHOSP GTMO. V/AL TABI AND V/AHMED WERE BOTH PRONOUNCED DEAD AT THE DET CLINIC.

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10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

ON 06JUN07, U.S. SOUTHERN COMMAND (SOUTHCOM), AUTHORIZED THE RETURN OF THE NON-EVIDENTIARY VALUE FILTER LITIGATION TEAM MATERIALS FROM CATERGORIES 2 AND 4 TO JTF-GTMO. ON 12JUN07, NCISRA GTMO RETURNED ALL THE NON-EVIDENTIARY VALUE FILTER LITIGATION TEAM MATERIALS FROM CATERGORIES 2 AND 4 TO JTF-GTMO. FROM 10-13SEP07, THE FILTER LITIGATION TEAM REVIEWED THE TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE; HOWEVER, THE REPORTING AGENT HAS NOT YET RECEIVED COMPLETE RESULTS OF THE DOCUMENT REVIEWS. ON 08AUG07, A LEAD WAS SENT TO SOUTHEAST FIELD OFFICE (SEFO) REQUESTING REVIEW BY THE SEFO DEATH REVIEW PANEL (DRP) FOR ADMINISTRATIVE CLOSURE.

NARRATIVE

1. (U) THIS IS A REACTIVE INVESTIGATION INITIATED TO DETERMINE CAUSE AND MANNER OF DEATH OF V/AL ZAHRANI, V/AL TABI AND V/AHMED. NO DETERMINATION OF A SPECIFIC STATUTE CAN BE MADE AT THIS TIME.
2. (U) SUBSEQUENT TO THE SUBMISSION OF REFERENCE (P), THE FILTER LITIGATION TEAM CONVENED, FROM 10-13SEP07, AND REVIEWED THE REMAINING TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE. INVESTIGATION CONTINUES AND IS PENDING RECEIPT OF RESULTS (MAILED COPY) OF THE DOCUMENT REVIEWS BY THE FILTER LITIGATION TEAM.

DISTRIBUTION

NCISHQ (SI): 0023B

INFO: MPMP/ADLANT/COMMANDER JTF-GTMO (SJA) (H)

DERIVED FROM: OPNAVINST S5513-4C

DECLASSIFY: X1

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U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

13SEP07

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV

M/W/FNSA/N//26DEC83/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTM/ISN: 93/CELL A-8

V/AL TABI, MANA SHAMAN ALLABARD/CIV

M/W/FNSA/N//01JAN76/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTMO/ISN: 588/CELL A-12

V/AHMED, ALI ABDULLA H/CIV

M/W/FNYM/N//01AUG79/YEMEN

SUPP: DETAINEE BEING HELD AT JTF-GMTO/ISN: 693/CELL A-5

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA/(b)(7)(C) SPECIAL AGENT

REFERENCE(S)

- (A) NCISRU GUANTANAMO BAY ROI (INTERIM)/20JUN06... (CONTAINS EXHIBITS 1-114)
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- (M) NCISRA GUANTANAMO BAY ROI (INTERIM)/05JUN07
- (N) NCISRA GUANTANAMO BAY ROI (INTERIM)/05JUL07
- (O) NCISRA GUANTANAMO BAT ROI (INTERIM)/05AUG07

EXECUTIVE SUMMARY

1. (S/NP) INVESTIGATION WAS INITIATED ON 10JUN06, SUBSEQUENT TO THE RECEIPT OF INFORMATION FROM THE JOINT TASK FORCE GUANTANAMO BAY, CUBA (JTF-GTMO) STAFF JUDGE ADVOCATE (SJA) OF THE DEATH OF THREE DETAINEES, WITHIN JTF-GTMO CAMP DELTA. THE THREE DETAINEES WERE IDENTIFIED AS V/AL ZAHRANI (ISN 093), V/AL TABI (ISN 588), AND V/AHMED (ISN 693). V/AL ZAHRANI WAS FOUND HANGING BY THE NECK INSIDE HIS CELL, IN ALPHA BLOCK, CAMP DELTA, BY JOINT

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SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

DETENTION GROUP (JDG) PERSONNEL. SUBSEQUENTLY, JDG PERSONNEL DISCOVERED V/AL TABI AND V/AHMED ALSO HANGING BY THEIR NECKS INSIDE THEIR CELLS, IN ALPHA BLOCK. ALL THREE VICTIMS WERE TAKEN DOWN AND IMMEDIATELY TRANSPORTED TO THE DETENTION (DET) CLINIC, INSIDE CAMP DELTA. V/AL ZAHRANI WAS LATER TRANSPORTED VIA AMBULANCE TO THE NAVAL HOSPITAL, GUANTANAMO BAY, CUBA (NAVHOSP GTMO). V/AL ZAHRANI WAS PRONOUNCED DEAD AT NAVHOSP GTMO. V/AL TABI AND V/AHMED WERE BOTH PRONOUNCED DEAD AT THE DET CLINIC.

2. ~~(S/NF)~~ CONTACT WAS MADE WITH THE JDG COMMANDER TO GET AN OVERVIEW OF THE SITUATION. ALL THREE BODIES WERE MOVED PRIOR TO NCIS ARRIVAL ON SCENE. THE DEATH SCENES WERE SECURED. ALL DETAINEES WERE REMOVED FROM ALPHA BLOCK AND THE ENTIRE BLOCK WAS SECURED. INTERVIEWS WERE CONDUCTED WITH ALL JTF-GTMO PERSONNEL WHO HAD ANY DEALINGS WITH THE RESPONSE AND TREATMENT OF THE THREE DETAINEES. APPARENT SUICIDE NOTES WERE DISCOVERED IN THE CLOTHING OF ALL THREE VICTIMS. INTERVIEWS WERE CONDUCTED WITH ALL DETAINEES ASSIGNED TO ALPHA BLOCK, HOWEVER, NONE OF THE INTERVIEWEES COULD PROVIDE ANY SUBSTANTIVE INFORMATION. DEATH SCENE EXAMINATIONS WERE CONDUCTED OF THE THREE CELLS WHERE THE VICTIMS WERE FOUND HANGING. ARMED FORCES INSTITUTE OF PATHOLOGY (AFIP) PERSONNEL CONDUCTED AUTOPSIES AT NAVHOSP GTMO, ON ALL THREE VICTIMS. FINAL AUTOPSY REPORTS SUBMITTED BY AFIP LISTED THE CAUSE OF DEATH FOR ALL THREE VICTIMS TO BE HANGING AND THE MANNER OF DEATH WAS LISTED AS SUICIDE. LATENT PRINT ANALYSIS OF EVIDENCE SUBMITTED TO US ARMY CRIMINAL INVESTIGATION LABORATORY (USACIL) DETERMINED V/AHMED AND V/AL ZAHRANI'S LATENT FINGERPRINTS WERE CONTAINED ON THEIR APPARENT SUICIDE NOTES FOUND WITHIN OTHER DETAINEE'S CELLS. USACIL FORENSIC DOCUMENT EXAMINATION OF EVIDENCE FOR INDENTED HANDWRITING IMPRESSIONS ONLY FOUND IMPRESSIONS IN THE FORM OF DRAWINGS ON ONE OF THE ITEMS OF EVIDENCE SUBMITTED. NO OTHER IMPRESSIONS OF VALUE WERE NOTED ON ANY OF THE OTHER SUBMITTED ITEMS. THE REVIEW BY THE "FILTER LITIGATION TEAM" WAS CONDUCTED FROM 23OCT06-03NOV06 OF THE DOCUMENTS SEIZED AS EVIDENCE FROM THROUGHOUT THE CAMPS. THE MAJORITY OF THE ITEMS WERE REVIEWED WITH ONLY TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE BEING SEIZED. USACIL LABORATORY ANALYSIS OF NCISRU GUANTANAMO BAY EVIDENCE LOG #029-06, FOUND NO INDENTED WRITINGS OR FINGERPRINTS, WHICH MATCHED ANY OF THE PREVIOUSLY SUBMITTED PRINTS ON FILE AT USACIL. ON 27JAN07, A NAVY AIR LOGISTICAL OFFICE (NALO) FLIGHT RETURNED THE FILTER LITIGATION TEAM MATERIALS TO GTMO FROM JACKSONVILLE, FL. ON 06JUN07, U.S. SOUTHERN COMMAND (SOUTHCOM), AUTHORIZED THE RETURN OF THE NON-EVIDENTIARY VALUE FILTER LITIGATION TEAM MATERIALS FROM CATERGORIES 2 AND 4 TO JTF-GTMO. ON 12JUN07, NCISRA GTMO RETURNED ALL THE NON-EVIDENTIARY VALUE FILTER LITIGATION TEAM MATERIALS FROM CATERGORIES 2 AND 4 TO JTF-GTMO.

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SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATION CONTINUES PENDING THE REVIEW BY THE FILTER LITIGATION TEAM OF THE TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE. ON 08AUG07, A LEAD WAS SENT TO SOUTHEAST FIELD OFFICE (SEFO) REQUESTING REVIEW BY THE SEFO DEATH REVIEW PANEL (DRP) FOR ADMINISTRATIVE CLOSURE.

NARRATIVE

1. (U) THIS IS A REACTIVE INVESTIGATION INITIATED TO DETERMINE CAUSE AND MANNER OF DEATH OF V/AL ZAHRANI, V/AL TABI AND V/AHMED. NO DETERMINATION OF A SPECIFIC STATUTE CAN BE MADE AT THIS TIME.
2. (U) SUBSEQUENT TO THE SUBMISSION OF REFERENCE (O), THIS INVESTIGATION IS PENDING THE REVIEW BY THE FILTER LITIGATION TEAM OF THE TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE. THE FILTER LITIGATION TEAM WAS SCHEDULED TO RECONVENE DURING THE WEEK OF 14MAY07 TO REVIEW THE REMAINING MATERIALS NOT AUTHORIZED FOR REVIEW BY DOJ. THIS REVIEW WAS CANCELED AND THE PROCEDURES FOR FURTHER REVIEW ARE CURRENTLY UNDERGOING CONSIDERATION BY DOJ. THE REVIEW IS NOW SCHEDULED FOR THE MIDDLE OF SEPTEMBER 2007. INVESTIGATION CONTINUES.

DISTRIBUTION

NCISHQ (SI): 0023B

INFO: MPMP/ADLANT/COMMANDER JTF-GTMO (SJA) (H).

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

0023B/MPMP/ADLANT/

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U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

08AUG07

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV

M/W/FNSA/N//26DEC83/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTM/ISN: 93/CELL A-8

V/AL TABI, MANA SHAMAN ALLABARD/CIV

M/W/FNSA/N//01JAN76/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTMO/ISN: 588/CELL A-12

V/AHMED, ALI ABDULLA H/CIV

M/W/FNYM/N//01AUG79/YEMEN

SUPP: DETAINEE BEING HELD AT JTF-GMTO/ISN: 693/CELL A-5

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA/(b)(7)(C) SPECIAL AGENT

REFERENCE(S)

- (A) NCISRU GUANTANAMO BAY ROI (INTERIM)/20JUN06... (CONTAINS EXHIBITS 1-114)
- (B) NCISRU GUANTANAMO BAY ROI (INTERIM)/25JUL06... (CONTAINS EXHIBITS 115-143)
- (C) NCISRU GUANTANAMO BAY ROI (INTERIM)/25AUG06... (CONTAINS EXHIBITS 144-152)
- (D) NCISRU GUANTANAMO BAY ROI (INTERIM)/25SEP06
- (E) NCISRU GUANTANAMO BAY ROI (INTERIM)/24OCT06... (CONTAINS EXHIBIT 153)
- (F) NCISRU GUANTANAMO BAY ROI (INTERIM)/17NOV06
- (G) NCISRU GUANTANAMO BAY ROI (INTERIM)/11DEC06... (CONTAINS EXHIBITS 154-155)
- (H) NCISRU GUANTANAMO BAY ROI (INTERIM)/10JAN07
- (I) NCISRU GUANTANAMO BAY ROI (INTERIM)/09FEB07
- (J) NCISRU GUANTANAMO BAY ROI (INTERIM)/09MAR07
- (K) NCISRA GUANTANAMO BAY ROI (INTERIM)/09APR07
- (L) NCISRA GUANTANAMO BAY ROI (INTERIM)/09MAY07
- (M) NCISRA GUANTANAMO BAY ROI (INTERIM)/05JUN07
- (N) NCISRA GUANTANAMO BAY ROI (INTERIM)/05JUL07
- (O) NCISRA GUANTANAMO BAY ROI (INTERIM)/05AUG07

EXECUTIVE SUMMARY

1. (S//NF) INVESTIGATION WAS INITIATED ON 10JUN06, SUBSEQUENT TO THE RECEIPT OF INFORMATION FROM THE JOINT TASK FORCE GUANTANAMO BAY, CUBA (JTF-GTMO) STAFF JUDGE ADVOCATE (SJA) OF THE DEATH OF THREE DETAINEES, WITHIN JTF-GTMO CAMP DELTA. THE THREE DETAINEES WERE IDENTIFIED AS V/AL ZAHRANI (ISN 093), V/AL TABI (ISN 588), AND V/AHMED (ISN 693). V/AL ZAHRANI WAS FOUND HANGING BY THE NECK INSIDE HIS CELL, IN ALPHA BLOCK, CAMP DELTA, BY JOINT DETENTION GROUP (JDG) PERSONNEL. SUBSEQUENTLY, JDG PERSONNEL

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PAGE 1 OF 3 (b)(7)(C)

WARNING

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

DISCOVERED V/AL TABI AND V/AHMED ALSO HANGING BY THEIR NECKS INSIDE THEIR CELLS, IN ALPHA BLOCK. ALL THREE VICTIMS WERE TAKEN DOWN AND IMMEDIATELY TRANSPORTED TO THE DETENTION (DET) CLINIC, INSIDE CAMP DELTA. V/AL ZAHRANI WAS LATER TRANSPORTED VIA AMBULANCE TO THE NAVAL HOSPITAL, GUANTANAMO BAY, CUBA (NAVHOSP GTMO). V/AL ZAHRANI WAS PRONOUNCED DEAD AT NAVHOSP GTMO. V/AL TABI AND V/AHMED WERE BOTH PRONOUNCED DEAD AT THE DET CLINIC.

2. ~~(S/NF)~~ CONTACT WAS MADE WITH THE JDG COMMANDER TO GET AN OVERVIEW OF THE SITUATION. ALL THREE BODIES WERE MOVED PRIOR TO NCIS ARRIVAL ON SCENE. THE DEATH SCENES WERE SECURED. ALL DETAINEES WERE REMOVED FROM ALPHA BLOCK AND THE ENTIRE BLOCK WAS SECURED. INTERVIEWS WERE CONDUCTED WITH ALL JTF-GTMO PERSONNEL WHO HAD ANY DEALINGS WITH THE RESPONSE AND TREATMENT OF THE THREE DETAINEES. APPARENT SUICIDE NOTES WERE DISCOVERED IN THE CLOTHING OF ALL THREE VICTIMS. INTERVIEWS WERE CONDUCTED WITH ALL DETAINEES ASSIGNED TO ALPHA BLOCK, HOWEVER, NONE OF THE INTERVIEWEES COULD PROVIDE ANY SUBSTANTIVE INFORMATION. DEATH SCENE EXAMINATIONS WERE CONDUCTED OF THE THREE CELLS WHERE THE VICTIMS WERE FOUND HANGING. ARMED FORCES INSTITUTE OF PATHOLOGY (AFIP) PERSONNEL CONDUCTED AUTOPSIES AT NAVHOSP GTMO, ON ALL THREE VICTIMS. FINAL AUTOPSY REPORTS SUBMITTED BY AFIP LISTED THE CAUSE OF DEATH FOR ALL THREE VICTIMS TO BE HANGING AND THE MANNER OF DEATH WAS LISTED AS SUICIDE. LATENT PRINT ANALYSIS OF EVIDENCE SUBMITTED TO US ARMY CRIMINAL INVESTIGATION LABORATORY (USACIL) DETERMINED V/AHMED AND V/AL ZAHRANI'S LATENT FINGERPRINTS WERE CONTAINED ON THEIR APPARENT SUICIDE NOTES FOUND WITHIN OTHER DETAINEE'S CELLS. USACIL FORENSIC DOCUMENT EXAMINATION OF EVIDENCE FOR INDENTED HANDWRITING IMPRESSIONS ONLY FOUND IMPRESSIONS IN THE FORM OF DRAWINGS ON ONE OF THE ITEMS OF EVIDENCE SUBMITTED. NO OTHER IMPRESSIONS OF VALUE WERE NOTED ON ANY OF THE OTHER SUBMITTED ITEMS. THE REVIEW BY THE "FILTER LITIGATION TEAM" WAS CONDUCTED FROM 23OCT06-03NOV06 OF THE DOCUMENTS SEIZED AS EVIDENCE FROM THROUGHOUT THE CAMPS. THE MAJORITY OF THE ITEMS WERE REVIEWED WITH ONLY TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE BEING SEIZED. USACIL LABORATORY ANALYSIS OF NCISRU GUANTANAMO BAY EVIDENCE LOG #029-06, FOUND NO INDENTED WRITINGS OR FINGERPRINTS, WHICH MATCHED ANY OF THE PREVIOUSLY SUBMITTED PRINTS ON FILE AT USACIL. ON 27JAN07, A NAVY AIR LOGISTICAL OFFICE (NALO) FLIGHT RETURNED FILTER LITIGATION TEAM MATERIALS TO GTMO FROM JACKSONVILLE, FL. ON 06JUN07, U.S. SOUTHERN COMMAND (SOUTHCOM), AUTHORIZED THE RETURN OF THE NON-EVIDENTIARY VALUE FILTER LITIGATION TEAM MATERIALS FROM CATERGORIES 2 AND 4 TO JTF-GTMO. ON 12JUN07, NCISRA GTMO RETURNED ALL THE NON-EVIDENTIARY VALUE FILTER LITIGATION TEAM MATERIALS FROM CATERGORIES 2 AND 4 TO JTF-GTMO. INVESTIGATION CONTINUES PENDING THE REVIEW BY THE FILTER

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

[LITIGATION TEAM OF THE TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE.]

NARRATIVE

1. (U) THIS IS A REACTIVE INVESTIGATION INITIATED TO DETERMINE CAUSE AND MANNER OF DEATH OF V/AL ZAHRANI, V/AL TABI AND V/AHMED. NO DETERMINATION OF A SPECIFIC STATUTE CAN BE MADE AT THIS TIME.

2. (U) SUBSEQUESNT TO THE SUBMISSION OF REFERENCE (O), THIS INVESTIGATION REMAINS OPEN PENDING ADMINISTRATIVE REVIEW BY THE NCIS SOUTHEAST FIELD OFFICE (SEFO) DEATH REVIEW PANEL (DRP). INVESTIGATION IS ALSO PENDING THE REVIEW BY THE "FILTER LITIGATION TEAM" OF THE TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE. THE FILTER LITAGATION TEAM WAS SCHEDULED TO RECONVENE DURING THE WEEK OF 14MAY07 TO REVIEW THE REMAINING MATERIALS NOT AUTHORIZED FOR REVIEW BY DOJ. THIS REVIEW WAS CANCELED AND THE PROCEDURES FOR FURTHER REVIEW ARE CURRENTLY UNDERGOING CONSIDERATION BY DOJ. INVESTIGATION CONTINUES.

ACTION

R.MPMP: REQUEST REVIEW BY THE SEFO DRP FOR ADMINISTRATIVE CLOSURE.

DISTRIBUTION

NCISHQ (SI): 0023B
ACTION: MPMP
INFO: ADLANT

DERIVED FROM: OPNAVINST S5513-4C
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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

0023B/MPMP/ADLANT/

~~SECRET/NOFORN~~

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

05AUG07

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV

M/W/FNSA/N//26DEC83/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTM/ISN: 93/CELL A-8

V/AL TABI, MANA SHAMAN ALLABARD/CIV

M/W/FNSA/N//01JAN76/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTMO/ISN: 588/CELL A-12

V/AHMED, ALI ABDULLA H/CIV

M/W/FNYM/N//01AUG79/YEMEN

SUPP: DETAINEE BEING HELD AT JTF-GMTO/ISN: 693/CELL A-5

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA/(b)(7)(C) SPECIAL AGENT

REFERENCE(S)

- (A) NCISRU GUANTANAMO BAY ROI (INTERIM)/20JUN06... (CONTAINS EXHIBITS 1-114)
- (B) NCISRU GUANTANAMO BAY ROI (INTERIM)/25JUL06... (CONTAINS EXHIBITS 115-143)
- (C) NCISRU GUANTANAMO BAY ROI (INTERIM)/25AUG06... (CONTAINS EXHIBITS 144-152)
- (D) NCISRU GUANTANAMO BAY ROI (INTERIM)/25SEP06
- (E) NCISRU GUANTANAMO BAY ROI (INTERIM)/24OCT06... (CONTAINS EXHIBIT 153)
- (F) NCISRU GUANTANAMO BAY ROI (INTERIM)/17NOV06
- (G) NCISRU GUANTANAMO BAY ROI (INTERIM)/11DEC06... (CONTAINS EXHIBITS 154-155)
- (H) NCISRU GUANTANAMO BAY ROI (INTERIM)/10JAN07
- (I) NCISRU GUANTANAMO BAY ROI (INTERIM)/09FEB07
- (J) NCISRU GUANTANAMO BAY ROI (INTERIM)/09MAR07
- (K) NCISRA GUANTANAMO BAY ROI (INTERIM)/09APR07
- (L) NCISRA GUANTANAMO BAY ROI (INTERIM)/09MAY07
- (M) NCISRA GUANTANAMO BAY ROI (INTERIM)/05JUN07
- (N) NCISRA GUANTANAMO BAY ROI (INTERIM)/05JUL07

EXECUTIVE SUMMARY

1. ~~(S/NF)~~ INVESTIGATION WAS INITIATED ON 10JUN06, SUBSEQUENT TO THE RECEIPT OF INFORMATION FROM THE JOINT TASK FORCE GUANTANAMO BAY, CUBA (JTF-GTMO) STAFF JUDGE ADVOCATE (SJA) OF THE DEATH OF THREE DETAINEES, WITHIN JTF-GTMO CAMP DELTA. THE THREE DETAINEES WERE IDENTIFIED AS V/AL ZAHRANI (ISN 093), V/AL TABI (ISN 588), AND V/AHMED (ISN 693). V/AL ZAHRANI WAS FOUND HANGING BY THE NECK INSIDE HIS CELL, IN ALPHA BLOCK, CAMP DELTA, BY JOINT DETENTION GROUP (JDG) PERSONNEL. SUBSEQUENTLY, JDG PERSONNEL

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PAGE 1 OF 3 (b)(7)(C)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

DISCOVERED V/AL TABI AND V/AHMED ALSO HANGING BY THEIR NECKS INSIDE THEIR CELLS, IN ALPHA BLOCK. ALL THREE VICTIMS WERE TAKEN DOWN AND IMMEDIATELY TRANSPORTED TO THE DETENTION (DET) CLINIC, INSIDE CAMP DELTA. V/AL ZAHRANI WAS LATER TRANSPORTED VIA AMBULANCE TO THE NAVAL HOSPITAL, GUANTANAMO BAY, CUBA (NAVHOSP GTMO). V/AL ZAHRANI WAS PRONOUNCED DEAD AT NAVHOSP GTMO. V/AL TABI AND V/AHMED WERE BOTH PRONOUNCED DEAD AT THE DET CLINIC.

2. ~~(S/NF)~~ CONTACT WAS MADE WITH THE JDG COMMANDER TO GET AN OVERVIEW OF THE SITUATION. ALL THREE BODIES WERE MOVED PRIOR TO NCIS ARRIVAL ON SCENE. THE DEATH SCENES WERE SECURED. ALL DETAINEES WERE REMOVED FROM ALPHA BLOCK AND THE ENTIRE BLOCK WAS SECURED. INTERVIEWS WERE CONDUCTED WITH ALL JTF-GTMO PERSONNEL WHO HAD ANY DEALINGS WITH THE RESPONSE AND TREATMENT OF THE THREE DETAINEES. APPARENT SUICIDE NOTES WERE DISCOVERED IN THE CLOTHING OF ALL THREE VICTIMS. INTERVIEWS WERE CONDUCTED WITH ALL DETAINEES ASSIGNED TO ALPHA BLOCK, HOWEVER, NONE OF THE INTERVIEWEES COULD PROVIDE ANY SUBSTANTIVE INFORMATION. DEATH SCENE EXAMINATIONS WERE CONDUCTED OF THE THREE CELLS WHERE THE VICTIMS WERE FOUND HANGING. ARMED FORCES INSTITUTE OF PATHOLOGY (AFIP) PERSONNEL CONDUCTED AUTOPSIES AT NAVHOSP GTMO, ON ALL THREE VICTIMS. FINAL AUTOPSY REPORTS SUBMITTED BY AFIP LISTED THE CAUSE OF DEATH FOR ALL THREE VICTIMS TO BE HANGING AND THE MANNER OF DEATH WAS LISTED AS SUICIDE. LATENT PRINT ANALYSIS OF EVIDENCE SUBMITTED TO US ARMY CRIMINAL INVESTIGATION LABORATORY (USACIL) DETERMINED V/AHMED AND V/AL ZAHRANI'S LATENT FINGERPRINTS WERE CONTAINED ON THEIR APPARENT SUICIDE NOTES FOUND WITHIN OTHER DETAINEE'S CELLS. USACIL FORENSIC DOCUMENT EXAMINATION OF EVIDENCE FOR INDENTED HANDWRITING IMPRESSIONS ONLY FOUND IMPRESSIONS IN THE FORM OF DRAWINGS ON ONE OF THE ITEMS OF EVIDENCE SUBMITTED. NO OTHER IMPRESSIONS OF VALUE WERE NOTED ON ANY OF THE OTHER SUBMITTED ITEMS. THE REVIEW BY THE "FILTER LITIGATION TEAM" WAS CONDUCTED FROM 23OCT06-03NOV06 OF THE DOCUMENTS SEIZED AS EVIDENCE FROM THROUGHOUT THE CAMPS. THE MAJORITY OF THE ITEMS WERE REVIEWED WITH ONLY TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE BEING SEIZED. USACIL LABORATORY ANALYSIS OF NCISRU GUANTANAMO BAY EVIDENCE LOG #029-06, FOUND NO INDENTED WRITINGS OR FINGERPRINTS, WHICH MATCHED ANY OF THE PREVIOUSLY SUBMITTED PRINTS ON FILE AT USACIL. ON 27JAN07, A NAVY AIR LOGISTICAL OFFICE (NALO) FLIGHT RETURNED THE FILTER LITIGATION TEAM MATERIALS TO GTMO FROM JACKSONVILLE, FL. ON 06JUN07, U.S. SOUTHERN COMMAND (SOUTHCOM), AUTHORIZED THE RETURN OF THE NON-EVIDENTIARY VALUE FILTER LITIGATION TEAM MATERIALS FROM CATERGORIES 2 AND 4 TO JTF-GTMO. ON 12JUN07, NCISRA GTMO RETURNED ALL THE NON-EVIDENTIARY VALUE FILTER LITIGATION TEAM MATERIALS FROM CATERGORIES 2 AND 4 TO JTF-GTMO. INVESTIGATION CONTINUES PENDING THE REVIEW BY THE FILTER LITIGATION TEAM OF THE TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE.

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

NARRATIVE

1. (U) THIS IS A REACTIVE INVESTIGATION INITIATED TO DETERMINE CAUSE AND MANNER OF DEATH OF V/AL ZAHRANI, V/AL TABI AND V/AHMED. NO DETERMINATION OF A SPECIFIC STATUTE CAN BE MADE AT THIS TIME.

2. (U) SUBSEQUESNT TO THE SUBMISSION OF REFERENCE (N), THIS INVESTIGATION IS BEING SUBMITTED TO THE SOUTHEAST FIELD OFFICE DEATH REVIEW PANEL FOR REVIEW FOR ADMINISTRATIVE CLOSURE. THIS INVESTIGATION IS PENDING THE REVIEW BY THE FILTER LITIGATION TEAM OF THE TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE. THE FILTER LITAGATION TEAM WAS SCHEDULED TO RECONVENE DURING THE WEEK OF 14MAY07 TO REVIEW THE REMAINING MATERIALS NOT AUTHORIZED FOR REVIEW BY DOJ. THIS REVIEW WAS CANCELED AND THE PROCEDURES FOR FURTHER REVIEW ARE CURRENTLY UNDERGOING CONSIDERATION BY THE DEPARTMENT OF JUSTICE (DOJ). INVESTIGATION CONTINUES.

DISTRIBUTION

NCISHQ (SI): 0023B

INFO: MPMP/ADLANT/COMMANDER JTF-GTMO (SJA) (H)

DERIVED FROM: OPNAVINST S5513-4C

DECLASSIFY: X1

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

0023B/MPMP/ADLANT/

~~SECRET/NOFORN~~

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

05JUL07

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV

M/W/FNSA/N//26DEC83/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTM/ISN: 93/CELL A-8

V/AL TABI, MANA SHAMAN ALLABARD/CIV

M/W/FNSA/N//01JAN76/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTMO/ISN: 588/CELL A-12

V/AHMED, ALI ABDULLA H/CIV

M/W/FNYM/N//01AUG79/YEMEN

SUPP: DETAINEE BEING HELD AT JTF-GTMO/ISN: 693/CELL A-5

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA (b)(3):10 USC 8130b (b)(6) (b)(7)(C), SPECIAL AGENT

REFERENCE(S)

- (A) NCISRU GUANTANAMO BAY ROI (INTERIM)/20JUN06... (CONTAINS EXHIBITS 1-114)
- (B) NCISRU GUANTANAMO BAY ROI (INTERIM)/25JUL06... (CONTAINS EXHIBITS 115-143)
- (C) NCISRU GUANTANAMO BAY ROI (INTERIM)/25AUG06... (CONTAINS EXHIBITS 144-152)
- (D) NCISRU GUANTANAMO BAY ROI (INTERIM)/25SEP06
- (E) NCISRU GUANTANAMO BAY ROI (INTERIM)/24OCT06... (CONTAINS EXHIBIT 153)
- (F) NCISRU GUANTANAMO BAY ROI (INTERIM)/17NOV06
- (G) NCISRU GUANTANAMO BAY ROI (INTERIM)/11DEC06... (CONTAINS EXHIBITS 154-155)
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- (I) NCISRU GUANTANAMO BAY ROI (INTERIM)/09FEB07
- (J) NCISRU GUANTANAMO BAY ROI (INTERIM)/09MAR07
- (K) NCISRA GUANTANAMO BAY ROI (INTERIM)/09APR07
- (L) NCISRA GUANTANAMO BAY ROI (INTERIM)/09MAY07
- (M) NCISRA GUANTANAMO BAY ROI (INTERIM)/05JUN07

EXECUTIVE SUMMARY

1. ~~(S/NF)~~ INVESTIGATION WAS INITIATED ON 10JUN06, SUBSEQUENT TO THE RECEIPT OF INFORMATION FROM THE JOINT TASK FORCE GUANTANAMO BAY, CUBA (JTF-GTMO) STAFF JUDGE ADVOCATE (SJA) OF THE DEATH OF THREE DETAINEES, WITHIN JTF-GTMO CAMP DELTA. THE THREE DETAINEES WERE IDENTIFIED AS V/AL ZAHRANI (ISN 093), V/AL TABI (ISN 588), AND V/AHMED (ISN 693). V/AL ZAHRANI WAS FOUND HANGING BY THE NECK INSIDE HIS CELL, IN ALPHA BLOCK, CAMP DELTA, BY JOINT DETENTION GROUP (JDG) PERSONNEL. SUBSEQUENTLY, JDG PERSONNEL DISCOVERED V/AL TABI AND V/AHMED ALSO HANGING BY THEIR NECKS

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INSIDE THEIR CELLS, IN ALPHA BLOCK. ALL THREE VICTIMS WERE TAKEN DOWN AND IMMEDIATELY TRANSPORTED TO THE DETENTION (DET) CLINIC, INSIDE CAMP DELTA. V/AL ZAHRANI WAS LATER TRANSPORTED VIA AMBULANCE TO THE NAVAL HOSPITAL, GUANTANAMO BAY, CUBA (NAVHOSP GTMO). V/AL ZAHRANI WAS PRONOUNCED DEAD AT NAVHOSP GTMO. V/AL TABI AND V/AHMED WERE BOTH PRONOUNCED DEAD AT THE DET CLINIC.

2. (S/NF) CONTACT WAS MADE WITH THE JDG COMMANDER TO GET AN OVERVIEW OF THE SITUATION. ALL THREE BODIES WERE MOVED PRIOR TO NCIS ARRIVAL ON SCENE. THE DEATH SCENES WERE SECURED. ALL DETAINEES WERE REMOVED FROM ALPHA BLOCK AND THE ENTIRE BLOCK WAS SECURED. INTERVIEWS WERE CONDUCTED WITH ALL JTF-GTMO PERSONNEL WHO HAD ANY DEALINGS WITH THE RESPONSE AND TREATMENT OF THE THREE DETAINEES. APPARENT SUICIDE NOTES WERE DISCOVERED IN THE CLOTHING OF ALL THREE VICTIMS. INTERVIEWS WERE CONDUCTED WITH ALL DETAINEES ASSIGNED TO ALPHA BLOCK, HOWEVER, NONE OF THE INTERVIEWEES COULD PROVIDE ANY SUBSTANTIVE INFORMATION. DEATH SCENE EXAMINATIONS WERE CONDUCTED OF THE THREE CELLS WHERE THE VICTIMS WERE FOUND HANGING. ARMED FORCES INSTITUTE OF PATHOLOGY (AFIP) PERSONNEL CONDUCTED AUTOPSIES AT NAVHOSP GTMO, ON ALL THREE VICTIMS. FINAL AUTOPSY REPORTS SUBMITTED BY AFIP LISTED THE CAUSE OF DEATH FOR ALL THREE VICTIMS TO BE HANGING AND THE MANNER OF DEATH WAS LISTED AS SUICIDE. LATENT PRINT ANALYSIS OF EVIDENCE SUBMITTED TO US ARMY CRIMINAL INVESTIGATION LABORATORY (USACIL) DETERMINED V/AHMED AND V/AL ZAHRANI'S LATENT FINGERPRINTS WERE CONTAINED ON THEIR APPARENT SUICIDE NOTES FOUND WITHIN OTHER DETAINEE'S CELLS. USACIL FORENSIC DOCUMENT EXAMINATION OF EVIDENCE FOR INDENTED HANDWRITING IMPRESSIONS ONLY FOUND IMPRESSIONS IN THE FORM OF DRAWINGS ON ONE OF THE ITEMS OF EVIDENCE SUBMITTED. NO OTHER IMPRESSIONS OF VALUE WERE NOTED ON ANY OF THE OTHER SUBMITTED ITEMS. THE REVIEW BY THE "FILTER TEAM" WAS CONDUCTED FROM 23OCT06-03NOV06 OF THE DOCUMENTS SEIZED AS EVIDENCE FROM THROUGHOUT THE CAMPS. THE MAJORITY OF THE ITEMS WERE REVIEWED WITH ONLY TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE BEING SEIZED. USACIL LABORATORY ANALYSIS OF NCISRU GUANTANAMO BAY EVIDENCE LOG #029-06, FOUND NO INDENTED WRITINGS OR FINGERPRINTS, WHICH MATCHED ANY OF THE PREVIOUSLY SUBMITTED PRINTS ON FILE AT USACIL. ON 27JAN07, A NAVY AIR LOGISTICAL OFFICE (NALO) FLIGHT RETURNED "FILTER TEAM" MATERIALS TO GTMO FROM JACKSONVILLE, FL. INVESTIGATION CONTINUES PENDING THE REVIEW BY THE "FILTER LITIGATION TEAM" OF THE TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE AND COORDINATION FOR THE RETURN OF THE NON-EVIDENTIARY VALUE "FILTER LITIGATION TEAM" MATERIALS.

~~SECRET/NOFORN~~

PAGE 2 OF 3

WARNING

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

NARRATIVE

1. (U) THIS IS A REACTIVE INVESTIGATION INITIATED TO DETERMINE CAUSE AND MANNER OF DEATH OF V/AL ZAHRANI, V/AL TABI AND V/AHMED. NO DETERMINATION OF A SPECIFIC STATUTE CAN BE MADE AT THIS TIME.

2. (U) SUBSEQUENT TO THE SUBMISSION OF REFERENCE (M), ON 06JUN07, (b)(3):10 USC [REDACTED] USN, SJA SOUTHCOM, AUTHORIZED THE RETURN OF THE NON-EVIDENTIARY VALUE "FILTER LITIGATION TEAM" MATERIALS FROM CATERGORIES 2 AND 4 TO JTF-GTMO. ON 12JUN07, NCISRA GTMO RETURNED ALL THE NON-EVIDENTIARY VALUE "FILTER LITIGATION TEAM" MATERIALS FROM CATERGORIES 2 AND 4 TO JTF-GTMO. ALL BOXES FROM CATEGORIES 2 AND 4 WERE TURNED OVER TO (b)(3):10 USC WILLIAMS. (U) INVESTIGATION IS PENDING THE REVIEW BY THE "FILTER LITIGATION TEAM" OF THE TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE. THE FILTER LITAGATION TEAM WAS SCHEDULED TO RECONVENE DURING THE WEEK OF 14MAY07 TO REVIEW THE REMAINING MATERIALS NOT AUTHORIZED FOR REVIEW BY DOJ. THIS REVIEW WAS CANCELED AND THE PROCEDURES FOR FURTHER REVIEW ARE CURRENTLY UNDERGOING CONSIDERATION BY DOJ. INVESTIGATION CONTINUES.

DISTRIBUTION

NCISHQ (SI): 0023B

INFO: MPMP/ADLANT/COMMANDER JTF-GTMO (SJA) (H)

DERIVED FROM: OPNAVINST S5513-4C

DECLASSIFY: X1

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PAGE 3 OF 3 LAST (b)(7)(C)

WARNING

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0023B/MPMP/ADLANT/

SECRET/NOFORN

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

05JUN07

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV

M/W/FNSA/N//26DEC83/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTM/ISN: 93/CELL A-8

V/AL TABI, MANA SHAMAN ALLABARD/CIV

M/W/FNSA/N//01JAN76/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTMO/ISN: 588/CELL A-12

V/AHMED, ALI ABDULLA H/CIV

M/W/FNYM/N//01AUG79/YEMEN

SUPP: DETAINEE BEING HELD AT JTF-GMTO/ISN: 693/CELL A-5

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA/FRANK J SOUCY III, SPECIAL AGENT

REFERENCE(S)

- (A) NCISRU GUANTANAMO BAY ROI (INTERIM)/20JUN06 (CONTAINS EXHIBITS 1-114)
- (B) NCISRU GUANTANAMO BAY ROI (INTERIM)/25JUL06 (CONTAINS EXHIBITS 115-143)
- (C) NCISRU GUANTANAMO BAY ROI (INTERIM)/25AUG06 (CONTAINS EXHIBITS 144-152)
- (D) NCISRU GUANTANAMO BAY ROI (INTERIM)/25SEP06
- (E) NCISRU GUANTANAMO BAY ROI (INTERIM)/24OCT06 (CONTAINS EXHIBIT 153)
- (F) NCISRU GUANTANAMO BAY ROI (INTERIM)/17NOV06
- (G) NCISRU GUANTANAMO BAY ROI (INTERIM)/11DEC06 (CONTAINS EXHIBITS 154-155)
- (H) NCISRU GUANTANAMO BAY ROI (INTERIM)/10JAN07
- (I) NCISRU GUANTANAMO BAY ROI (INTERIM)/09FEB07
- (J) NCISRU GUANTANAMO BAY ROI (INTERIM)/09MAR07
- (K) NCISRA GUANTANAMO BAY ROI (INTERIM)/09APR07
- (L) NCISRA GUANTANAMO BAY ROI (INTERIM)/09MAY07

EXECUTIVE SUMMARY

1. ~~(S/NF)~~ INVESTIGATION WAS INITIATED ON 10JUN06, SUBSEQUENT TO THE RECEIPT OF INFORMATION FROM THE JOINT TASK FORCE GUANTANAMO BAY, CUBA (JTF-GTMO) STAFF JUDGE ADVOCATE (SJA) OF THE DEATH OF THREE DETAINEES, WITHIN JTF-GTMO CAMP DELTA. THE THREE DETAINEES WERE IDENTIFIED AS V/AL ZAHRANI (ISN 093), V/AL TABI (ISN 588), AND V/AHMED (ISN 693). V/AL ZAHRANI WAS FOUND HANGING BY THE NECK INSIDE HIS CELL, IN ALPHA BLOCK, CAMP DELTA, BY JOINT DETENTION GROUP (JDG) PERSONNEL. SUBSEQUENTLY, JDG PERSONNEL DISCOVERED V/AL TABI AND V/AHMED ALSO HANGING BY THEIR NECKS

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10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INSIDE THEIR CELLS, IN ALPHA BLOCK. ALL THREE VICTIMS WERE TAKEN DOWN AND IMMEDIATELY TRANSPORTED TO THE DETENTION (DET) CLINIC, INSIDE CAMP DELTA. V/AL ZAHRANI WAS LATER TRANSPORTED VIA

AMBULANCE TO THE NAVAL HOSPITAL, GUANTANAMO BAY, CUBA (NAVHOSP GTMO). V/AL ZAHRANI WAS PRONOUNCED DEAD AT NAVHOSP GTMO. V/AL TABI AND V/AHMED WERE BOTH PRONOUNCED DEAD AT THE DET CLINIC.

2. ~~(S/NF)~~ CONTACT WAS MADE WITH THE JDG COMMANDER TO GET AN OVERVIEW OF THE SITUATION. ALL THREE BODIES WERE MOVED PRIOR TO NCIS ARRIVAL ON SCENE. THE DEATH SCENES WERE SECURED. ALL DETAINEES WERE REMOVED FROM ALPHA BLOCK AND THE ENTIRE BLOCK WAS SECURED. INTERVIEWS WERE CONDUCTED WITH ALL JTF-GTMO PERSONNEL WHO HAD ANY DEALINGS WITH THE RESPONSE AND TREATMENT OF THE THREE DETAINEES. APPARENT SUICIDE NOTES WERE DISCOVERED IN THE CLOTHING OF ALL THREE VICTIMS. INTERVIEWS WERE CONDUCTED WITH ALL DETAINEES ASSIGNED TO ALPHA BLOCK, HOWEVER, NONE OF THE INTERVIEWEES COULD PROVIDE ANY SUBSTANTIVE INFORMATION. DEATH SCENE EXAMINATIONS WERE CONDUCTED OF THE THREE CELLS WHERE THE VICTIMS WERE FOUND HANGING. ARMED FORCES INSTITUTE OF PATHOLOGY (AFIP) PERSONNEL CONDUCTED AUTOPSIES AT NAVHOSP GTMO, ON ALL THREE VICTIMS. FINAL AUTOPSY REPORTS SUBMITTED BY AFIP LISTED THE CAUSE OF DEATH FOR ALL THREE VICTIMS TO BE HANGING AND THE MANNER OF DEATH WAS LISTED AS SUICIDE. LATENT PRINT ANALYSIS OF EVIDENCE SUBMITTED TO US ARMY CRIMINAL INVESTIGATION LABORATORY (USACIL) DETERMINED V/AHMED AND V/AL ZAHRANI'S LATENT FINGERPRINTS WERE CONTAINED ON THEIR APPARENT SUICIDE NOTES FOUND WITHIN OTHER DETAINEE'S CELLS. USACIL FORENSIC DOCUMENT EXAMINATION OF EVIDENCE FOR INDENTED HANDWRITING IMPRESSIONS ONLY FOUND IMPRESSIONS IN THE FORM OF DRAWINGS ON ONE OF THE ITEMS OF EVIDENCE SUBMITTED. NO OTHER IMPRESSIONS OF VALUE WERE NOTED ON ANY OF THE OTHER SUBMITTED ITEMS. THE REVIEW BY THE "FILTER TEAM" WAS CONDUCTED FROM 23OCT06-03NOV06 OF THE DOCUMENTS SEIZED AS EVIDENCE FROM THROUGHOUT THE CAMPS. THE MAJORITY OF THE ITEMS WERE REVIEWED WITH ONLY TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE BEING SEIZED. USACIL LABORATORY ANALYSIS OF NCISRU GUANTANAMO BAY EVIDENCE LOG #029-06, FOUND NO INDENTED WRITINGS OR FINGERPRINTS, WHICH MATCHED ANY OF THE PREVIOUSLY SUBMITTED PRINTS ON FILE AT USACIL. ON 27JAN07, A NAVY AIR LOGISTICAL OFFICE (NALO) FLIGHT RETURNED "FILTER TEAM" MATERIALS TO GTMO FROM JACKSONVILLE, FL. INVESTIGATION CONTINUES PENDING THE REVIEW BY THE "FILTER LITIGATION TEAM" OF THE TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE AND COORDINATION FOR THE

SECRET/NOFORN

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NCIS
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10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

RETURN OF THE NON-EVIDENTIARY VALUE "FILTER LITIGATION TEAM"
MATERIALS.

NARRATIVE

1. (U) THIS IS A REACTIVE INVESTIGATION INITIATED TO DETERMINE CAUSE AND MANNER OF DEATH OF V/AL ZAHRANI, V/AL TABI AND V/AHMED. NO DETERMINATION OF A SPECIFIC STATUTE CAN BE MADE AT THIS TIME.

2. (U) SUBSEQUENT TO THE SUBMISSION OF REFERENCE (L), COORDINATION FOR THE RETURN OF THE "FILTER TEAM" MATERIALS FROM CATEGORIES 2 AND 4 (NON-EVIDENTIARY) CONTINUES WITH (b)(3):10 (b)(3):10 UNITED STATES SOUTHERN COMMAND (USSOUTHCOM). EDC IS UNKNOWN AT THIS TIME. THE FILTER LITIGATION TEAM WAS SCHEDULED TO RECONVENE DURING THE WEEK OF 14MAY07 TO REVIEW THE REMAINING MATERIALS NOT AUTHORIZED FOR REVIEW BY DOJ. THIS REVIEW WAS CANCELED AND THE PROCEDURES FOR FURTHER REVIEW ARE CURRENTLY UNDERGOING CONSIDERATION BY DOJ. INVESTIGATION CONTINUES.

DISTRIBUTION

NCISHQ (SI): 0023B

INFO: MPMP/ADLANT/COMMANDER JTF-GTMO (SJA) (H)

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U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

09MAY07

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV

M/W/FNSA/N//26DEC83/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTM/ISN: 93/CELL A-8

V/AL TABI, MANA SHAMAN ALLABARD/CIV

M/W/FNSA/N//01JAN76/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTMO/ISN: 588/CELL A-12

V/AHMED, ALI ABDULLA H/CIV

M/W/FNYM/N//01AUG79/YEMEN

SUPP: DETAINEE BEING HELD AT JTF-GMTO/ISN: 693/CELL A-5

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA/ (b)(7)(C) , SPECIAL AGENT

REFERENCE(S)

- (A) NCISRU GUANTANAMO BAY ROI (INTERIM)/20JUN06 (CONTAINS EXHIBITS 1-114)
- (B) NCISRU GUANTANAMO BAY ROI (INTERIM)/25JUL06 (CONTAINS EXHIBITS 115-143)
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- (E) NCISRU GUANTANAMO BAY ROI (INTERIM)/24OCT06 (CONTAINS EXHIBIT 153)
- (F) NCISRU GUANTANAMO BAY ROI (INTERIM)/17NOV06
- (G) NCISRU GUANTANAMO BAY ROI (INTERIM)/11DEC06 (CONTAINS EXHIBITS 154-155)
- (H) NCISRU GUANTANAMO BAY ROI (INTERIM)/10JAN07
- (I) NCISRU GUANTANAMO BAY ROI (INTERIM)/09FEB07
- (J) NCISRU GUANTANAMO BAY ROI (INTERIM)/09MAR07
- (K) NCISRA GUANTANAMO BAY ROI (INTERIM)/09APR07

EXECUTIVE SUMMARY

1. (S/NF) INVESTIGATION WAS INITIATED ON 10JUN06, SUBSEQUENT TO THE RECEIPT OF INFORMATION FROM THE JOINT TASK FORCE GUANTANAMO BAY, CUBA (JTF-GTMO) STAFF JUDGE ADVOCATE (SJA) OF THE DEATH OF THREE DETAINEES, WITHIN JTF-GTMO CAMP DELTA. THE THREE DETAINEES WERE IDENTIFIED AS V/AL ZAHRANI (ISN 093), V/AL TABI (ISN 588), AND V/AHMED (ISN 693). V/AL ZAHRANI WAS FOUND HANGING BY THE NECK INSIDE HIS CELL, IN ALPHA BLOCK, CAMP DELTA, BY JOINT DETENTION GROUP (JDG) PERSONNEL. SUBSEQUENTLY, JDG PERSONNEL DISCOVERED V/AL TABI AND V/AHMED ALSO HANGING BY THEIR NECKS INSIDE THEIR CELLS, IN ALPHA BLOCK. ALL THREE VICTIMS WERE TAKEN

~~SECRET/NOFORN~~

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10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

DOWN AND IMMEDIATELY TRANSPORTED TO THE DETENTION (DET) CLINIC, INSIDE CAMP DELTA. V/AL ZAHRANI WAS LATER TRANSPORTED VIA AMBULANCE TO THE NAVAL HOSPITAL, GUANTANAMO BAY, CUBA (NAVHOSP GTMO). V/AL ZAHRANI WAS PRONOUNCED DEAD AT NAVHOSP GTMO. V/AL TABI AND V/AHMED WERE BOTH PRONOUNCED DEAD AT THE DET CLINIC.

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NARRATIVE

1. (U) THIS IS A REACTIVE INVESTIGATION INITIATED TO DETERMINE CAUSE AND MANNER OF DEATH OF V/AL ZAHRANI, V/AL TABI AND V/AHMED. NO DETERMINATION OF A SPECIFIC STATUTE CAN BE MADE AT THIS TIME.

~~SECRET/NOFORN~~

PAGE 2 OF 3

NCIS 47

10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

2. (U) SUBSEQUENT TO THE SUBMISSION OF REFERENCE (K),
COORDINATION FOR THE RETURN OF THE "FILTER TEAM" MATERIALS FROM
CATEGORIES 2 AND 4 (NON-EVIDENTIARY) CONTINUES WITH (b)(3):10
(b)(3):10 UNITED STATES SOUTHERN COMMAND (USSOUTHCOM). EDC IS
UNKNOWN AT THIS TIME. THE FILTER LITIGATION TEAM WAS SCHEDULED TO
RECONVENE DURING THE WEEK OF 14MAY07 TO REVIEW THE REMAINING
MATERIALS NOT AUTHORIZED FOR REVIEW BY DOJ. THIS REVIEW WAS
CANCELED AND THE PROCEDURES FOR FURTHER REVIEW ARE CURRENTLY
UNDERGOING CONSIDERATION BY DOJ. INVESTIGATION CONTINUES.

DISTRIBUTION

NCISHQ (SI): 0023B

INFO: MPMP/ADLANT/COMMANDER JTF-GTMO (SJA) (H)

DERIVED FROM: OPNAVINST S5513-4C

DECLASSIFY: X1

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PAGE 3 OF 3 LAST

(b)(7)(C)

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0023B/MPMP/ADLANT/

~~SECRET/NOFORN~~

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

20APR07

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV

M/W/FNSA/N//26DEC83/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTM/ISN: 93/CELL A-8

V/AL TABI, MANA SHAMAN ALLABARD/CIV

M/W/FNSA/N//01JAN76/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTMO/ISN: 588/CELL A-12

V/AHMED, ALI ABDULLA H/CIV

M/W/FNYM/N//01AUG79/YEMEN

SUPP: DETAINEE BEING HELD AT JTF-GMTO/ISN: 693/CELL A-5

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA/

(b)(7)(C)

SPECIAL AGENT

REFERENCE(S)

- (A) NCISRU GUANTANAMO BAY ROI (INTERIM)/20JUN06 (CONTAINS EXHIBITS 1-114)
- (B) NCISRU GUANTANAMO BAY ROI (INTERIM)/25JUL06 (CONTAINS EXHIBITS 115-143)
- (C) NCISRU GUANTANAMO BAY ROI (INTERIM)/25AUG06 (CONTAINS EXHIBITS 144-152)
- (D) NCISRU GUANTANAMO BAY ROI (INTERIM)/25SEP06
- (E) NCISRU GUANTANAMO BAY ROI (INTERIM)/24OCT06 (CONTAINS EXHIBIT 153)
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- (G) NCISRU GUANTANAMO BAY ROI (INTERIM)/11DEC06 (CONTAINS EXHIBITS 154-155)
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- (I) NCISRU GUANTANAMO BAY ROI (INTERIM)/09FEB07
- (J) NCISRU GUANTANAMO BAY ROI (INTERIM)/09MAR07

EXECUTIVE SUMMARY

1. ~~(S/NF)~~ INVESTIGATION WAS INITIATED ON 10JUN06, SUBSEQUENT TO THE RECEIPT OF INFORMATION FROM THE JOINT TASK FORCE GUANTANAMO BAY, CUBA (JTF-GTMO) STAFF JUDGE ADVOCATE (SJA) OF THE DEATH OF THREE DETAINEES, WITHIN JTF-GTMO CAMP DELTA. THE THREE DETAINEES WERE IDENTIFIED AS V/AL ZAHRANI (ISN 093), V/AL TABI (ISN 588), AND V/AHMED (ISN 693). V/AL ZAHRANI WAS FOUND HANGING BY THE NECK INSIDE HIS CELL, IN ALPHA BLOCK, CAMP DELTA, BY JOINT DETENTION GROUP (JDG) PERSONNEL. SUBSEQUENTLY, JDG PERSONNEL DISCOVERED V/AL TABI AND V/AHMED ALSO HANGING BY THEIR NECKS INSIDE THEIR CELLS, IN ALPHA BLOCK. ALL THREE VICTIMS WERE TAKEN DOWN AND IMMEDIATELY TRANSPORTED TO THE DETENTION (DET) CLINIC, INSIDE CAMP DELTA. V/AL ZAHRANI WAS LATER TRANSPORTED VIA

~~SECRET/NOFORN~~

PAGE 1 OF 3 (b)(7)(C)

NCIS

10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

AMBULANCE TO THE NAVAL HOSPITAL, GUANTANAMO BAY, CUBA (NAVHOSP GTMO). V/AL ZAHRANI WAS PRONOUNCED DEAD AT NAVHOSP GTMO. V/AL TABI AND V/AHMED WERE BOTH PRONOUNCED DEAD AT THE DET CLINIC.

2. (S/NF) CONTACT WAS MADE WITH THE JDG COMMANDER TO GET AN OVERVIEW OF THE SITUATION. ALL THREE BODIES WERE MOVED PRIOR TO NCIS ARRIVAL ON SCENE. THE DEATH SCENES WERE SECURED. ALL DETAINEES WERE REMOVED FROM ALPHA BLOCK AND THE ENTIRE BLOCK WAS SECURED. INTERVIEWS WERE CONDUCTED WITH ALL JTF-GTMO PERSONNEL WHO HAD ANY DEALINGS WITH THE RESPONSE AND TREATMENT OF THE THREE DETAINEES. APPARENT SUICIDE NOTES WERE DISCOVERED IN THE CLOTHING OF ALL THREE VICTIMS. INTERVIEWS WERE CONDUCTED WITH ALL DETAINEES ASSIGNED TO ALPHA BLOCK, HOWEVER, NONE OF THE INTERVIEWEES COULD PROVIDE ANY SUBSTANTIVE INFORMATION. DEATH SCENE EXAMINATIONS WERE CONDUCTED OF THE THREE CELLS WHERE THE VICTIMS WERE FOUND HANGING. ARMED FORCES INSTITUTE OF PATHOLOGY (AFIP) PERSONNEL CONDUCTED AUTOPSIES AT NAVHOSP GTMO, ON ALL THREE VICTIMS. FINAL AUTOPSY REPORTS SUBMITTED BY AFIP LISTED THE CAUSE OF DEATH FOR ALL THREE VICTIMS TO BE HANGING AND THE MANNER OF DEATH WAS LISTED AS SUICIDE. LATENT PRINT ANALYSIS OF EVIDENCE SUBMITTED TO US ARMY CRIMINAL INVESTIGATION LABORATORY (USACIL) DETERMINED V/AHMED AND V/AL ZAHRANI'S LATENT FINGERPRINTS WERE CONTAINED ON THEIR APPARENT SUICIDE NOTES FOUND WITHIN OTHER DETAINEE'S CELLS. USACIL FORENSIC DOCUMENT EXAMINATION OF EVIDENCE FOR INDENTED HANDWRITING IMPRESSIONS ONLY FOUND IMPRESSIONS IN THE FORM OF DRAWINGS ON ONE OF THE ITEMS OF EVIDENCE SUBMITTED. NO OTHER IMPRESSIONS OF VALUE WERE NOTED ON ANY OF THE OTHER SUBMITTED ITEMS. THE REVIEW BY THE "FILTER TEAM" WAS CONDUCTED FROM 23OCT06-03NOV06 OF THE DOCUMENTS SEIZED AS EVIDENCE FROM THROUGHOUT THE CAMPS. THE MAJORITY OF THE ITEMS WERE REVIEWED WITH ONLY TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE BEING SEIZED. USACIL LABORATORY ANALYSIS OF NCISRU GUANTANAMO BAY EVIDENCE LOG #029-06, FOUND NO INDENTED WRITINGS OR FINGERPRINTS, WHICH MATCHED ANY OF THE PREVIOUSLY SUBMITTED PRINTS ON FILE AT USACIL. ON 27JAN07, A NAVY AIR LOGISTICAL OFFICE (NALO) FLIGHT RETURNED "FILTER TEAM" MATERIALS TO GTMO FROM JACKSONVILLE, FL. INVESTIGATION CONTINUES PENDING THE REVIEW BY THE "FILTER LITIGATION TEAM" OF THE TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE AND COORDINATION FOR THE RETURN OF THE NON-EVIDENTIARY VALUE "FILTER LITIGATION TEAM" MATERIALS.

NARRATIVE

1. (U) THIS IS A REACTIVE INVESTIGATION INITIATED TO DETERMINE CAUSE AND MANNER OF DEATH OF V/AL ZAHRANI, V/AL TABI AND V/AHMED. NO DETERMINATION OF A SPECIFIC STATUTE CAN BE MADE AT THIS TIME.

~~SECRET/NOFORN~~

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10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

2. (U) SUBSEQUESNT TO THE SUBMISSION OF REFERENCE (J),
COORDINATION FOR THE RETURN OF THE "FILTER TEAM" MATERIALS FROM
CATERGORIES 2 AND 4 (NON-EVIDENTIARY) CONTINUES WITH (b)(3):10
(b)(3):10 UNITED STATES SOUTHERN COMMAND (USSOUTHCOM). EDC IS
UNKNOWN AT THIS TIME. In addition, It has been determined that
the Filter Litagation Team will reconvene during the week of
14MAY07 to review the remaining materials not authorized for
review by DOJ. INVESTIGATION CONTINUES.

DISTRIBUTION

NCISHQ (SI): 0023B(M)

INFO: MPMP (M)/ADLANT (M)/COMMANDER JTF-GTMO (SJA) (H)

DERIVED FROM: OPNAVINST S5513-4C

DECLASSIFY: X1

~~SECRET/NOFORN~~

PAGE 3 OF 3 (b)(7)(C)

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~~SECRET/NOFORN~~

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

09MAR07

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV

M/W/FNSA/N//26DEC83/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTM/ISN: 93/CELL A-8

V/AL TABI, MANA SHAMAN ALLABARD/CIV

M/W/FNSA/N//01JAN76/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTMO/ISN: 588/CELL A-12

V/AHMED, ALI ABDULLA H/CIV

M/W/FNYM/N//01AUG79/YEMEN

SUPP: DETAINEE BEING HELD AT JTF-GMTO/ISN: 693/CELL A-5

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA/(b)(7)(C)

SPECIAL AGENT

REFERENCE(S)

- (A) NCISRU GUANTANAMO BAY ROI (INTERIM)/20JUN06 (CONTAINS EXHIBITS 1-114)
- (B) NCISRU GUANTANAMO BAY ROI (INTERIM)/25JUL06 (CONTAINS EXHIBITS 115-143)
- (C) NCISRU GUANTANAMO BAY ROI (INTERIM)/25AUG06 (CONTAINS EXHIBITS 144-152)
- (D) NCISRU GUANTANAMO BAY ROI (INTERIM)/25SEP06
- (E) NCISRU GUANTANAMO BAY ROI (INTERIM)/24OCT06 (CONTAINS EXHIBIT 153)
- (F) NCISRU GUANTANAMO BAY ROI (INTERIM)/17NOV06
- (G) NCISRU GUANTANAMO BAY ROI (INTERIM)/11DEC06 (CONTAINS EXHIBITS 154-155)
- (H) NCISRU GUANTANAMO BAY ROI (INTERIM)/10JAN07
- (I) NCISRU GUANTANAMO BAY ROI (INTERIM)/09FEB07

EXECUTIVE SUMMARY

1. ~~(S/NF)~~ INVESTIGATION WAS INITIATED ON 10JUN06, SUBSEQUENT TO THE RECEIPT OF INFORMATION FROM THE JOINT TASK FORCE GUANTANAMO BAY, CUBA (JTF-GTMO) STAFF JUDGE ADVOCATE (SJA) OF THE DEATH OF THREE DETAINEES, WITHIN JTF-GTMO CAMP DELTA. THE THREE DETAINEES WERE IDENTIFIED AS V/AL ZAHRANI (ISN 093), V/AL TABI (ISN 588), AND V/AHMED (ISN 693). V/AL ZAHRANI WAS FOUND HANGING BY THE NECK INSIDE HIS CELL, IN ALPHA BLOCK, CAMP DELTA, BY JOINT DETENTION GROUP (JDG) PERSONNEL. SUBSEQUENTLY, JDG PERSONNEL DISCOVERED V/AL TABI AND V/AHMED ALSO HANGING BY THEIR NECKS INSIDE THEIR CELLS, IN ALPHA BLOCK. ALL THREE VICTIMS WERE TAKEN DOWN AND IMMEDIATELY TRANSPORTED TO THE DETENTION (DET) CLINIC, INSIDE CAMP DELTA. V/AL ZAHRANI WAS LATER TRANSPORTED VIA

~~SECRET/NOFORN~~

PAGE 1 OF 3 (b)(7)(C)

10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

AMBULANCE TO THE NAVAL HOSPITAL, GUANTANAMO BAY, CUBA (NAVHOSP GTMO). V/AL ZAHRANI WAS PRONOUNCED DEAD AT NAVHOSP GTMO. V/AL TABI AND V/AHMED WERE BOTH PRONOUNCED DEAD AT THE DET CLINIC.

2. ~~(S/NF)~~ CONTACT WAS MADE WITH THE JDG COMMANDER TO GET AN OVERVIEW OF THE SITUATION. ALL THREE BODIES WERE MOVED PRIOR TO NCIS ARRIVAL ON SCENE. THE DEATH SCENES WERE SECURED. ALL DETAINEES WERE REMOVED FROM ALPHA BLOCK AND THE ENTIRE BLOCK WAS SECURED. INTERVIEWS WERE CONDUCTED WITH ALL JTF-GTMO PERSONNEL WHO HAD ANY DEALINGS WITH THE RESPONSE AND TREATMENT OF THE THREE DETAINEES. APPARENT SUICIDE NOTES WERE DISCOVERED IN THE CLOTHING OF ALL THREE VICTIMS. INTERVIEWS WERE CONDUCTED WITH ALL DETAINEES ASSIGNED TO ALPHA BLOCK, HOWEVER, NONE OF THE INTERVIEWEES COULD PROVIDE ANY SUBSTANTIVE INFORMATION. DEATH SCENE EXAMINATIONS WERE CONDUCTED OF THE THREE CELLS WHERE THE VICTIMS WERE FOUND HANGING. ARMED FORCES INSTITUTE OF PATHOLOGY (AFIP) PERSONNEL CONDUCTED AUTOPSIES AT NAVHOSP GTMO, ON ALL THREE VICTIMS. FINAL AUTOPSY REPORTS SUBMITTED BY AFIP LISTED THE CAUSE OF DEATH FOR ALL THREE VICTIMS TO BE HANGING AND THE MANNER OF DEATH WAS LISTED AS SUICIDE. LATENT PRINT ANALYSIS OF EVIDENCE SUBMITTED TO US ARMY CRIMINAL INVESTIGATION LABORATORY (USACIL) DETERMINED V/AHMED AND V/AL ZAHRANI'S LATENT FINGERPRINTS WERE CONTAINED ON THEIR APPARENT SUICIDE NOTES FOUND WITHIN OTHER DETAINEE'S CELLS. USACIL FORENSIC DOCUMENT EXAMINATION OF EVIDENCE FOR INDENTED HANDWRITING IMPRESSIONS ONLY FOUND IMPRESSIONS IN THE FORM OF DRAWINGS ON ONE OF THE ITEMS OF EVIDENCE SUBMITTED. NO OTHER IMPRESSIONS OF VALUE WERE NOTED ON ANY OF THE OTHER SUBMITTED ITEMS. THE REVIEW BY THE "FILTER TEAM" WAS CONDUCTED FROM 23OCT06-03NOV06 OF THE DOCUMENTS SEIZED AS EVIDENCE FROM THROUGHOUT THE CAMPS. THE MAJORITY OF THE ITEMS WERE REVIEWED WITH ONLY TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE BEING SEIZED. USACIL LABORATORY ANALYSIS OF NCISRU GUANTANAMO BAY EVIDENCE LOG #029-06, FOUND NO INDENTED WRITINGS OR FINGERPRINTS, WHICH MATCHED ANY OF THE PREVIOUSLY SUBMITTED PRINTS ON FILE AT USACIL. ON 27JAN07, A NAVY AIR LOGISTICAL OFFICE (NALO) FLIGHT RETURNED "FILTER TEAM" MATERIALS TO GTMO FROM JACKSONVILLE, FL. INVESTIGATION CONTINUES PENDING THE REVIEW BY THE "FILTER LITIGATION TEAM" OF THE TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE AND COORDINATION FOR THE RETURN OF THE NON-EVIDENTIARY VALUE "FILTER LITIGATION TEAM" MATERIALS.

NARRATIVE

1. (U) THIS IS A REACTIVE INVESTIGATION INITIATED TO DETERMINE CAUSE AND MANNER OF DEATH OF V/AL ZAHRANI, V/AL TABI AND V/AHMED. NO DETERMINATION OF A SPECIFIC STATUTE CAN BE MADE AT THIS TIME.

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10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

2. (U) THE TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE ARE BEING FORWARDED TO THE FILTER LITIGATION TEAM FOR FURTHER REVIEW. COORDINATION FOR THE RETURN OF THE "FILTER TEAM" MATERIALS FROM CATEGORIES 2 AND 4 (NON-EVIDENTIARY) ARE ONGOING WITH (b)(3)(b)(6)(b)(7)(C) UNITED STATES SOUTHERN COMMAND (USSOUTHCOM). EDC IS UNKNOWN AT THIS TIME. INVESTIGATION CONTINUES.

DISTRIBUTION

NCISHQ (SI): 0023B(M)

INFO: MPMP (M)/ADLANT (M)/COMMANDER JTF-GTMO (SJA) (H)

DERIVED FROM: OPNAVINST S5513-4C

DECLASSIFY: X1

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0023B/MPMP/ADLANT/

~~SECRET/NOFORN~~

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

09FEB07

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV

M/W/FNSA/N//26DEC83/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTM/ISN: 93/CELL A-8

V/AL TABI, MANA SHAMAN ALLABARD/CIV

M/W/FNSA/N//01JAN76/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTMO/ISN: 588/CELL A-12

V/AHMED, ALI ABDULLA H/CIV

M/W/FNYM/N//01AUG79/YEMEN

SUPP: DETAINEE BEING HELD AT JTF-GMTO/ISN: 693/CELL A-5

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA/(b)(7)(C) [REDACTED], SPECIAL AGENT

REFERENCE(S)

- (A) NCISRU GUANTANAMO BAY ROI (INTERIM)/20JUN06 (CONTAINS EXHIBITS 1-114)
- (B) NCISRU GUANTANAMO BAY ROI (INTERIM)/25JUL06 (CONTAINS EXHIBITS 115-143)
- (C) NCISRU GUANTANAMO BAY ROI (INTERIM)/25AUG06 (CONTAINS EXHIBITS 144-152)
- (D) NCISRU GUANTANAMO BAY ROI (INTERIM)/25SEP06
- (E) NCISRU GUANTANAMO BAY ROI (INTERIM)/24OCT06 (CONTAINS EXHIBIT 153)
- (F) NCISRU GUANTANAMO BAY ROI (INTERIM)/17NOV06
- (G) NCISRU GUANTANAMO BAY ROI (INTERIM)/11DEC06 (CONTAINS EXHIBITS 154-155)

EXECUTIVE SUMMARY

1. ~~(S/NE)~~ INVESTIGATION WAS INITIATED ON 10JUN06, SUBSEQUENT TO THE RECEIPT OF INFORMATION FROM THE JOINT TASK FORCE GUANTANAMO BAY, CUBA (JTF-GTMO) STAFF JUDGE ADVOCATE (SJA) OF THE DEATH OF THREE DETAINEES, WITHIN JTF-GTMO CAMP DELTA. THE THREE DETAINEES WERE IDENTIFIED AS V/AL ZAHRANI (ISN 093), V/AL TABI (ISN 588), AND V/AHMED (ISN 693). V/AL ZAHRANI WAS FOUND HANGING BY THE NECK INSIDE HIS CELL, IN ALPHA BLOCK, CAMP DELTA, BY JOINT DETENTION GROUP (JDG) PERSONNEL. SUBSEQUENTLY, JDG PERSONNEL DISCOVERED V/AL TABI AND V/AHMED ALSO HANGING BY THEIR NECKS INSIDE THEIR CELLS, IN ALPHA BLOCK. ALL THREE VICTIMS WERE TAKEN DOWN AND IMMEDIATELY TRANSPORTED TO THE DETENTION (DET) CLINIC, INSIDE CAMP DELTA. V/AL ZAHRANI WAS LATER TRANSPORTED VIA

~~SECRET/NOFORN~~

PAGE 1 OF 3 (b)(7)(C) [REDACTED]

NCIS

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10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

AMBULANCE TO THE NAVAL HOSPITAL, GUANTANAMO BAY, CUBA (NAVHOSP GTMO). V/AL ZAHRANI WAS PRONOUNCED DEAD AT NAVHOSP GTMO. V/AL TABI AND V/AHMED WERE BOTH PRONOUNCED DEAD AT THE DET CLINIC. CONTACT WAS MADE WITH THE JDG COMMANDER TO GET AN OVERVIEW OF THE SITUATION. ALL THREE BODIES WERE MOVED PRIOR TO NCIS ARRIVAL ON SCENE. THE DEATH SCENES WERE SECURED. ALL DETAINEES WERE REMOVED FROM ALPHA BLOCK AND THE ENTIRE BLOCK WAS SECURED. INTERVIEWS WERE CONDUCTED WITH ALL JTF-GTMO PERSONNEL WHO HAD ANY DEALINGS WITH THE RESPONSE AND TREATMENT OF THE THREE DETAINEES. APPARENT SUICIDE NOTES WERE DISCOVERED IN THE CLOTHING OF ALL THREE VICTIMS. INTERVIEWS WERE CONDUCTED WITH ALL DETAINEES ASSIGNED TO ALPHA BLOCK, HOWEVER, NONE OF THE INTERVIEWEES COULD PROVIDE ANY SUBSTANTIVE INFORMATION. DEATH SCENE EXAMINATIONS WERE CONDUCTED OF THE THREE CELLS WHERE THE VICTIMS WERE FOUND HANGING. ARMED FORCES INSTITUTE OF PATHOLOGY (AFIP) PERSONNEL CONDUCTED AUTOPSIES AT NAVHOSP GTMO, ON ALL THREE VICTIMS. FINAL AUTOPSY REPORTS SUBMITTED BY AFIP LISTED THE CAUSE OF DEATH FOR ALL THREE VICTIMS TO BE HANGING AND THE MANNER OF DEATH WAS LISTED AS SUICIDE. LATENT PRINT ANALYSIS OF EVIDENCE SUBMITTED TO US ARMY CRIMINAL INVESTIGATION LABORATORY (USACIL) DETERMINED V/AHMED AND V/AL ZAHRANI'S LATENT FINGERPRINTS WERE CONTAINED ON THEIR APPARENT SUICIDE NOTES FOUND WITHIN OTHER DETAINEE'S CELLS. USACIL FORENSIC DOCUMENT EXAMINATION OF EVIDENCE FOR INDENTED HANDWRITING IMPRESSIONS ONLY FOUND IMPRESSIONS IN THE FORM OF DRAWINGS ON ONE OF THE ITEMS OF EVIDENCE SUBMITTED. NO OTHER IMPRESSIONS OF VALUE WERE NOTED ON ANY OF THE OTHER SUBMITTED ITEMS. THE REVIEW BY THE "FILTER TEAM" WAS CONDUCTED FROM 23OCT06-03NOV06 OF THE DOCUMENTS SEIZED AS EVIDENCE FROM THROUGHOUT THE CAMPS. THE MAJORITY OF THE ITEMS WERE REVIEWED WITH ONLY TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE BEING SEIZED. USACIL LABORATORY ANALYSIS OF NCISRU GUANTANAMO BAY EVIDENCE LOG #029-06, FOUND NO INDENTED WRITINGS OR FINGERPRINTS, WHICH MATCHED ANY OF THE PREVIOUSLY SUBMITTED PRINTS ON FILE AT USACIL. ON 27JAN07, A NAVY AIR LOGISTICAL OFFICE (NALO) FLIGHT RETURNED "FILTER TEAM" MATERIALS TO GTMO FROM JACKSONVILLE, FL. INVESTIGATION CONTINUES PENDING THE REVIEW OF THE TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE SEIZED BY THE "FILTER TEAM" AND COORDINATION FOR THE RETURN OF THE NON-EVIDENTIARY VALUE "FILTER TEAM" MATERIALS.

NARRATIVE

1. (U) THIS IS A REACTIVE INVESTIGATION INITIATED TO DETERMINE CAUSE AND MANNER OF DEATH OF V/AL ZAHRANI, V/AL TABI AND V/AHMED. NO DETERMINATION OF A SPECIFIC STATUTE CAN BE MADE AT THIS TIME.

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10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

2. ON 27JAN07, A NAVY AIR LOGISTICAL OFFICE (NALO) FLIGHT RETURNED "FILTER TEAM" MATERIALS TO GTMO FROM JACKSONVILLE, FL. THE MATERIALS INCLUDED THE TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE SEIZED BY THE "FILTER TEAM", AS WELL AS MATERIALS REVIEWED BY THE "FILTER TEAM" DETERMINED NOT BE OF EVIDENTIARY VALUE. COORDINATION FOR THE RETURN OF THE "FILTER TEAM" MATERIALS FROM CATEGORIES 2 AND 4 (NON-EVIDENTIARY) ARE ONGOING WITH (b)(3):10 USC US SOUTHERN COMMAND (SOUTHCOM). EDC IS UNKNOWN AT THIS TIME. INVESTIGATION CONTINUES.

DISTRIBUTION

NCISHQ (SI): 0023B(M)

INFO: MPMP (M)/ADLANT (M)/COMMANDER JTF-GTMO (SJA) (H)

DERIVED FROM: OPNAVINST S5513-4C

DECLASSIFY: X1

~~SECRET/NOFORN~~

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NCIS

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0023B/MPMP/ADLANT/

~~SECRET/NOFORN~~

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

11JAN07

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV

M/W/FNSA/N//26DEC83/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTM/ISN: 93/CELL A-8

V/AL TABI, MANA SHAMAN ALLABARD/CIV

M/W/FNSA/N//01JAN76/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTMO/ISN: 588/CELL A-12

V/AHMED, ALI ABDULLA H/CIV

M/W/FNYM/N//01AUG79/YEMEN

SUPP: DETAINEE BEING HELD AT JTF-GMTO/ISN: 693/CELL A-5

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA/(b)(7)(C) SPECIAL AGENT

REFERENCE(S)

- (A) NCISRU GUANTANAMO BAY ROI (INTERIM)/20JUN06 (CONTAINS EXHIBITS 1-114)
- (B) NCISRU GUANTANAMO BAY ROI (INTERIM)/25JUL06 (CONTAINS EXHIBITS 115-143)
- (C) NCISRU GUANTANAMO BAY ROI (INTERIM)/25AUG06 (CONTAINS EXHIBITS 144-152)
- (D) NCISRU GUANTANAMO BAY ROI (INTERIM)/25SEP06
- (E) NCISRU GUANTANAMO BAY ROI (INTERIM)/24OCT06 (CONTAINS EXHIBIT 153)
- (F) NCISRU GUANTANAMO BAY ROI (INTERIM)/17NOV06
- (G) NCISRU GUANTANAMO BAY ROI (INTERIM)/11DEC06 (CONTAINS EXHIBITS 154-155)

EXECUTIVE SUMMARY

1. ~~(S/NF)~~ INVESTIGATION WAS INITIATED ON 10JUN06, SUBSEQUENT TO THE RECEIPT OF INFORMATION FROM THE JOINT TASK FORCE GUANTANAMO BAY, CUBA (JTF-GTMO) STAFF JUDGE ADVOCATE (SJA) OF THE DEATH OF THREE DETAINEES, WITHIN JTF-GTMO CAMP DELTA. THE THREE DETAINEES WERE IDENTIFIED AS V/AL ZAHRANI (ISN 093), V/AL TABI (ISN 588), AND V/AHMED (ISN 693). V/AL ZAHRANI WAS FOUND HANGING BY THE NECK INSIDE HIS CELL, IN ALPHA BLOCK, CAMP DELTA, BY JOINT DETENTION GROUP (JDG) PERSONNEL. SUBSEQUENTLY, JDG PERSONNEL DISCOVERED V/AL TABI AND V/AHMED ALSO HANGING BY THEIR NECKS INSIDE THEIR CELLS, IN ALPHA BLOCK. ALL THREE VICTIMS WERE TAKEN DOWN AND IMMEDIATELY TRANSPORTED TO THE DETENTION (DET) CLINIC, INSIDE CAMP DELTA. V/AL ZAHRANI WAS LATER TRANSPORTED VIA AMBULANCE TO THE NAVAL HOSPITAL GUANTANAMO BAY, CUBA (NAVHOSP GTMO). V/AL ZAHRANI WAS PRONOUNCED DEAD AT NAVHOSP GTMO. V/AL TABI AND V/AHMED WERE BOTH PRONOUNCED DEAD AT THE DET CLINIC.

~~SECRET/NOFORN~~

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(C)

NCIS

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10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

CONTACT WAS MADE WITH THE JDG COMMANDER TO GET AN OVERVIEW OF THE SITUATION. ALL THREE BODIES WERE MOVED PRIOR TO NCIS ARRIVAL ON SCENE. THE DEATH SCENES WERE SECURED. ALL DETAINEES WERE REMOVED FROM ALPHA BLOCK AND THE ENTIRE BLOCK WAS SECURED. INTERVIEWS WERE CONDUCTED WITH ALL JTF-GTMO PERSONNEL WHO HAD ANY DEALINGS WITH THE RESPONSE AND TREATMENT OF THE THREE DETAINEES. APPARENT SUICIDE NOTES WERE DISCOVERED IN THE CLOTHING OF ALL THREE VICTIMS. INTERVIEWS WERE CONDUCTED WITH ALL DETAINEES ASSIGNED TO ALPHA BLOCK, HOWEVER, NONE OF THE INTERVIEWEES COULD PROVIDE ANY SUBSTANTIVE INFORMATION. DEATH SCENE EXAMINATIONS WERE CONDUCTED OF THE THREE CELLS WHERE THE VICTIMS WERE FOUND HANGING. ARMED FORCES INSTITUTE OF PATHOLOGY (AFIP) PERSONNEL CONDUCTED AUTOPSIES AT NAVHOSP GTMO, ON ALL THREE VICTIMS. FINAL AUTOPSY REPORTS SUBMITTED BY AFIP LISTED THE CAUSE OF DEATH FOR ALL THREE VICTIMS TO BE HANGING AND THE MANNER OF DEATH WAS LISTED AS SUICIDE. LATENT PRINT ANALYSIS OF EVIDENCE SUBMITTED TO US ARMY CRIMINAL INVESTIGATION LABORATORY (USACIL) DETERMINED V/AHMED AND V/AL ZAHRANI'S LATENT FINGERPRINTS WERE CONTAINED ON THEIR APPARENT SUICIDE NOTES FOUND WITHIN OTHER DETAINEE'S CELLS. USACIL FORENSIC DOCUMENT EXAMINATION OF EVIDENCE FOR INDENTED HANDWRITING IMPRESSIONS ONLY FOUND IMPRESSIONS IN THE FORM OF DRAWINGS ON ONE OF THE ITEMS OF EVIDENCE SUBMITTED. NO OTHER IMPRESSIONS OF VALUE WERE NOTED ON ANY OF THE OTHER SUBMITTED ITEMS. THE REVIEW BY THE "FILTER TEAM" WAS CONDUCTED FROM 23OCT06-03NOV06 OF THE DOCUMENTS SEIZED AS EVIDENCE FROM THROUGHOUT THE CAMPS. THE MAJORITY OF THE ITEMS WERE REVIEWED WITH ONLY TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE BEING SEIZED. USACIL LABORATORY ANALYSIS OF NCISRU GUANTANAMO BAY EVIDENCE LOG #029-06, FOUND NO INDENTED WRITINGS OR FINGERPRINTS, WHICH MATCHED ANY OF THE PREVIOUSLY SUBMITTED PRINTS ON FILE AT USACIL. INVESTIGATION CONTINUES PENDING THE REVIEW BY JTF-GTMO (b)(2) (b)(2) OF THE TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE SEIZED BY THE "FILTER TEAM".

NARRATIVE

1. (U) THIS IS A REACTIVE INVESTIGATION INITIATED TO DETERMINE CAUSE AND MANNER OF DEATH OF V/AL ZAHRANI, V/AL TABI AND V/AHMED. NO DETERMINATION OF A SPECIFIC STATUTE CAN BE MADE AT THIS TIME.

2. (U) A NAVY AIR LOGISTICAL OFFICE (NALO) FLIGHT HAS BEEN SCHEDULED FOR THE WEEK OF 15JAN07 TO RETURN "FILTER TEAM" MATERIALS TO GTMO FROM JACKSONVILLE, FL. THE MATERIALS INCLUDE THE TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE SEIZED BY THE "FILTER TEAM", WHICH NEED TO BE REVIEWED BY THE JTF-GTMO (b)(2)

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10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

(b)(2) [REDACTED] IN ACCORDANCE WITH U.S. DEPARTMENT OF JUSTICE (DOJ) DIRECTIVES THE OTHER MATERIALS REVIEWED BY THE "FILTER TEAM" WAS DETERMINED TO NOT BE OF EVIDENTIAL VALUE AND WILL BE RETURNED TO THE JTF-GTMO FOR DETERMINATION OF RETURN TO THE DETAINEES. INVESTIGATION CONTINUES.

DISTRIBUTION

NCISHQ (SI): 0023B(M)

INFO: MPMP (M)/ADLANT (M)/COMMANDER JTF-GTMO (SJA) (H)

DERIVED FROM: OPNAVINST S5513-4C

DECLASSIFY: X1

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U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

11DEC06

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV

M/W/FNSA/N//26DEC83/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTM/ISN: 93/CELL A-8

V/AL TABI, MANA SHAMAN ALLABARD/CIV

M/W/FNSA/N//01JAN76/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTMO/ISN: 588/CELL A-12

V/AHMED, ALI ABDULLA H/CIV

M/W/FNYM/N//01AUG79/YEMEN

SUPP: DETAINEE BEING HELD AT JTF-GMTO/ISN: 693/CELL A-5

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA (b)(7)(C) SPECIAL AGENT

REFERENCE(S)

- (A) NCISRU GUANTANAMO BAY ROI (INTERIM)/20JUN06 (CONTAINS EXHIBITS 1-114)
- (B) NCISRU GUANTANAMO BAY ROI (INTERIM)/25JUL06 (CONTAINS EXHIBITS 115-143)
- (C) NCISRU GUANTANAMO BAY ROI (INTERIM)/25AUG06 (CONTAINS EXHIBITS 144-152)
- (D) NCISRU GUANTANAMO BAY ROI (INTERIM)/25SEP06
- (E) NCISRU GUANTANAMO BAY ROI (INTERIM)/24OCT06 (CONTAINS EXHIBIT 153)
- (F) NCISRU GUANTANAMO BAY ROI (INTERIM)/17NOV06

EXHIBITS

- (154) IA: REVIEW OF DOCUMENTS FROM CAMP DELTA FILTER TEAM/27NOV06...(COPY ALL)
- (155) IA: RESULTS OF EXAMINATION OF EVIDENCE BY USACIL/08DEC06...(COPY ALL)

EXECUTIVE SUMMARY

1. (S/NF) INVESTIGATION WAS INITIATED ON 10JUN06, SUBSEQUENT TO THE RECEIPT OF INFORMATION FROM THE JOINT TASK FORCE GUANTANAMO BAY, CUBA (JTF-GTMO) STAFF JUDGE ADVOCATE (SJA) OF THE DEATH OF THREE DETAINEES, WITHIN JTF-GTMO CAMP DELTA. THE THREE DETAINEES WERE IDENTIFIED AS V/AL ZAHRANI (ISN 093), V/AL TABI (ISN 588), AND V/AHMED (ISN 693). V/AL ZAHRANI WAS FOUND HANGING BY THE NECK INSIDE HIS CELL, IN ALPHA BLOCK, CAMP DELTA, BY JOINT DETENTION GROUP (JDG) PERSONNEL. SUBSEQUENTLY, JDG PERSONNEL DISCOVERED V/AL TABI AND V/AHMED ALSO HANGING BY THEIR NECKS

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U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INSIDE THEIR CELLS, IN ALPHA BLOCK. ALL THREE VICTIMS WERE TAKEN DOWN AND IMMEDIATELY TRANSPORTED TO THE DETENTION (DET) CLINIC, INSIDE CAMP DELTA. V/AL ZAHRANI WAS LATER TRANSPORTED VIA AMBULANCE TO THE NAVAL HOSPITAL GUANTANAMO BAY, CUBA (NAVHOSP GTMO). V/AL ZAHRANI WAS PRONOUNCED DEAD AT NAVHOSP GTMO. V/AL TABI AND V/AHMED WERE BOTH PRONOUNCED DEAD AT THE DET CLINIC. CONTACT WAS MADE WITH THE JDG COMMANDER TO GET AN OVERVIEW OF THE SITUATION. ALL THREE BODIES WERE MOVED PRIOR TO NCIS ARRIVAL ON SCENE. THE DEATH SCENES WERE SECURED. ALL DETAINEES WERE REMOVED FROM ALPHA BLOCK AND THE ENTIRE BLOCK WAS SECURED. INTERVIEWS WERE CONDUCTED WITH ALL JTF-GTMO PERSONNEL WHO HAD ANY DEALINGS WITH THE RESPONSE AND TREATMENT OF THE THREE DETAINEES. APPARENT SUICIDE NOTES WERE DISCOVERED IN THE CLOTHING OF ALL THREE VICTIMS. INTERVIEWS WERE CONDUCTED WITH ALL DETAINEES ASSIGNED TO ALPHA BLOCK, HOWEVER, NONE OF THE INTERVIEWEES COULD PROVIDE ANY SUBSTANTIVE INFORMATION. DEATH SCENE EXAMINATIONS WERE CONDUCTED OF THE THREE CELLS WHERE THE VICTIMS WERE FOUND HANGING. ARMED FORCES INSTITUTE OF PATHOLOGY (AFIP) PERSONNEL CONDUCTED AUTOPSIES AT NAVHOSP GTMO, ON ALL THREE VICTIMS. FINAL AUTOPSY REPORTS SUBMITTED BY AFIP LISTED THE CAUSE OF DEATH FOR ALL THREE VICTIMS TO BE HANGING AND THE MANNER OF DEATH WAS LISTED AS SUICIDE. LATENT PRINT ANALYSIS OF EVIDENCE SUBMITTED TO US ARMY CRIMINAL INVESTIGATION LABORATORY (USACIL) DETERMINED V/AHMED AND V/AL ZAHRANI'S LATENT FINGERPRINTS WERE CONTAINED ON THEIR APPARENT SUICIDE NOTES FOUND WITHIN OTHER DETAINEE'S CELLS. USACIL FORENSIC DOCUMENT EXAMINATION OF EVIDENCE FOR INDENTED HANDWRITING IMPRESSIONS ONLY FOUND IMPRESSIONS IN THE FORM OF DRAWINGS ON ONE OF THE ITEMS OF EVIDENCE SUBMITTED. NO OTHER IMPRESSIONS OF VALUE WERE NOTED ON ANY OF THE OTHER SUBMITTED ITEMS. THE REVIEW BY THE "FILTER TEAM" WAS CONDUCTED FROM 23OCT06-03NOV06 OF THE DOCUMENTS SEIZED AS EVIDENCE FROM THROUGHOUT THE CAMPS. THE MAJORITY OF THE ITEMS WERE REVIEWED WITH ONLY TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE BEING SEIZED. USACIL LABORATORY ANALYSIS OF NCISRU GUANTANAMO BAY EVIDENCE LOG #029-06, FOUND NO INDENTED WRITINGS OR FINGERPRINTS, WHICH MATCHED ANY OF THE PREVIOUSLY SUBMITTED PRINTS ON FILE AT USACIL. INVESTIGATION CONTINUES PENDING THE REVIEW BY JTF-GTMO (b)(2)

(b)(2) OF THE TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE SEIZED BY THE "FILTER TEAM".

NARRATIVE

1. (U) THIS IS A REACTIVE INVESTIGATION INITIATED TO DETERMINE CAUSE AND MANNER OF DEATH OF V/AL ZAHRANI, V/AL TABI AND V/AHMED. NO DETERMINATION OF A SPECIFIC STATUTE CAN BE MADE AT THIS TIME.

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2. (U) SUBSEQUENT TO THE SUBMISSION OF REFERENCE (F), ON 23OCT06, A FILTER TEAM WAS ESTABLISHED CONSISTING OF AN NCIS SUPERVISORY SPECIAL AGENT ACTING AS THE FILTER TEAM LEADER, TWO NCIS SPECIAL AGENTS, FOUR NAVAL OFFICERS OF THE JUDGE ADVOCATE GENERAL'S CORPS, TWO NAVAL ENLISTED ADMINISTRATIVE PERSONNEL, FOUR FOREIGN LANGUAGE TRANSLATORS, AND ONE NCIS EVIDENCE CUSTODIAN. THE FILTER TEAM SEPERATED ALL DOCUMENTS THAT DID NOT CONTAIN INFORMATION RELATING TO FUTURE ACTS OF IMMINENT VIOLENCE OR THAT THREATENED NATIONAL SECURITY, INTO FOUR CATEGORIES AS NOTED BELOW:

CATEGORY 1: DOCUMENTS THAT ARE RELEVANT TO THE NCIS INVESTIGATION AND ARE ALSO ATTORNEY-CLIENT PRIVILEGED.

CATEGORY 2: DOCUMENTS THAT ARE NOT RELEVANT TO THE NCIS INVESTIGATION, BUT ARE ATTORNEY-CLIENT PRIVILEGES.

CATEGORY 3: DOCUMENTS THAT ARE RELEVANT TO THE NCIS INVESTIGATION AND ARE NOT ATTORNEY-CLIENT PRIVILEGED.

CATEGORY 4: DOCUMENTS THAT ARE NOT RELEVANT TO THE NCIS INVESTIGATION AND ARE NOT ATTORNEY-CLIENT PRIVILEGED.

TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE WERE SEIZED BECAUSE THEY ADDRESSES THE TERMS DEATH, DYING, KNOTS OR POSSIBLE KNOT TYING, HAD DRAWINGS OF POSSIBLE INTERIOR STRUCTURES WITHIN CAMP DELTA OR WERE OCUMENTS WITH CLASSIFICATION MARKINGS WHOSE DECLASSIFICATION STATUS COULD NOT BE DETERMINED. NO INFORMATION RELATING TO FUTURE ACTS OF IMMINENT VIOLENCE OR THREATS TO NATIONAL SECURITY WERE FOUND. EXHIBIT (154) PROVIDES DETAILS.

3. (U) ON 07DEC06, NCISRU GUANTANAMO BAY RECEIVED THE USACIL LABORATORY ANALYSIS FOR THE SUBMITTED EVIDENCE (MPGT LOG #029-06). NO DECIPHERABLE HANDWRITING IMPRESSIONS WERE FOUND WHEN THE EVIDENCE WAS CHECKED FOR INDENTED WRITING. ONE LATENT FINGERPRINT AND ONE LATENT PALM PRINT WERE FOUND ON THE SUBMITTED EVIDENCE. THE LATENT FINGERPRINT DID NOT MATCH ANY OF THE SUBMITTED RECORD FINGERPRINTS. THERE WERE NO PALM PRINTS SUBMITTED TO USACIL, EXHIBIT (155).

4. (U) INVESTIGATION CONTINUES PENDING THE REVIEW BY JTF-GTMO

(b)(2)

(b)(2)

OF THE TWELVE (12) DOCUMENTS OF POTENTIAL EVIDENTIARY VALUE SEIZED BY THE "FILTER TEAM". SOME OF THESE DOCUMENTS ARE EITHER COMPLETE OR PARTIAL COPIES OF A U.S. COURT OF APPEALS, D.C. CIRCUIT BRIEF REGARDING ISN 232. THERE WERE ALSO ITEMS NOT

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REVIEWED WHICH WERE IN NCIS CUSTODY, BUT WERE NOT CONTAINED IN THE ORIGINAL BOXES PROVIDED TO THE FILTER TEAM. NONE OF THESE ITEMS WERE REVIEWED AS THEY WERE SEIZED FROM THE CELL OF (b)(2) WHO IS ON A LIST THAT IS CURRENTLY RESTRICTED FROM REVIEW PURSUANT TO DOJ DIRECTION. AN ESTIMATED DATE OF COMPLETION IS UNKNOWN AT THIS TIME.

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

27NOV06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GITMO

REVIEW OF SEIZED DOCUMENTS FROM CAMP DELTA BY FILTER TEAM

1. As background, on 10Jun06, an investigation was initiated following the receipt of information from the Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO) Staff Judge Advocate (SJA) concerning the death of three detainees within JTF-GTMO Camp Delta. During the course of the investigation, death-scene examinations were conducted, and various documents from detainees being held in Camp Delta were seized and eventually placed into NCIS evidence custody. Several of these seized documents had the possibility of being covered by attorney-client privilege and were not reviewed at that time. Enclosures (A) through (C) pertain.

2. Based on the fact that documents seized might be covered by attorney-client privilege, the U.S. Department of Justice instructed that a Filter Team would review and sort all seized material for relevance to the ongoing death investigation and for attorney-client privilege. On 23Oct06, this Filter Team was established consisting of an NCIS Supervisory Special Agent (SSA) acting as the Filter Team Leader, two NCIS Special Agents, four Naval Officers of the Judge Advocate General's Corps (JAGC), two Naval enlisted administrative personnel, four foreign language translators, and one NCIS Evidence Custodian. NCIS Senior management determined that the documents originally seized by NCIS, and to be reviewed by the Filter Team should be removed from the evidence chain of custody and not be considered evidence at review, but only those items of possible evidentiary value found during the review would be entered into the NCIS evidence system. Specific instructions and restrictions were levied on each Filter Team member concerning all documents they were to review. Enclosure (D) pertains.

A. The Filter Team must keep meticulous records and maintain a chain of custody for every document reviewed. The Filter Team must record every document that is reviewed, by whom it is reviewed, when it was reviewed, if any copies were made, to whom those copies are disclosed, and to whom the document was finally given.

B. The Filter Team must not disclose the contents of any attorney-client privileged materials to any individuals outside of the Filter Team except for information pertaining to future events that threaten national security or involve imminent violence.

C. Each member of the Filter Team will be assigned a unique identification number. When indicating in the teams records whom reviewed a document, this identification number will be utilized, and the Filter Team member's actual name will not be used.

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3. Prior to conducting the review of the estimated 1,100 pounds of documents seized from the detainees within Camp Delta, the Filter Team members were provided with the following Document Review Instructions.

A. Apply Bates-numbers to each document. These Bates-numbers should be applied to every page in a document on which any writings, markings, drawing, or other text appears. Apply the Bates-numbers in a location as close to the bottom right hand corner of the pages as possible, without obstructing the content of the document.

B. A Document Review Form must be filled out for each individual document. If a document includes one or more attachments, such as a letter from an attorney to a detainee that includes a newspaper article, threat the letter and the article as a single document. Enclosure (A) pertains.

C. Examine the document. Complete a Document Review Form for each document. In completing that form, the description of the document must be sufficiently detailed to accurately describe the document at a later time when the document itself is no longer available but must not disclose the substance of a communication contained in the document.

D. Three questions must be answered for each document:

a. Does the document contain information pertaining to future events that threaten national security or involved imminent violence?

b. Is the document relevant to the NCIS investigation?

c. Is the document potentially protected by attorney-client privilege?

E. For all documents that do not contain information relating to future acts of imminent violence or that threaten national security, sort the documents into four categories as noted below:

a. Category 1: Documents that are relevant to the NCIS investigation and are also attorney-client privileged.

b. Category 2: Documents that are not relevant to the NCIS investigation, but are attorney-client privileges.

c. Category 3: Documents that are relevant to the NCIS investigation and are not attorney-client privileged.

d. Category 4: Documents that are not relevant to the NCIS investigation and are not attorney-

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client privileged.

F. Indicate the Category into which the document was placed on the Document Review Form and place the document with the other documents placed in the same Category.

G. The Document Review Form has an additional place for the Filter Team members to indicate any other information, notes, or comments that are deemed relevant. The reviewer should indicate any contact that he/she has with individuals outside the Filter Team in regard to the document here.

H. Either retain the documents or transfer the documents to the DOJ Filter Litigation Team, to NCIS, to the Detainee or to JTF-GTMO based on the Category, as required.

- a. Category 1: The Filter Team will retain the Category 1 documents until it receives specific written instructions regarding their disclosure from the Department of Justice Filter Litigation Team (FLT). No disclosure of Category 1 documents may be made by the Filter Team prior to receiving documented consent of detainee's counsel or court order.
- b. Category 2: If the information does not appear to violate the parameters of the Protective order, the Filter Team must return all documents in Category 2 directly to the detainee. The documents should not be disclosed to JTF-GTMO command or to NCIS. If it appears that the information violates the parameters of the Protective Order, the document must be forwarded to the Filter Litigation Team. (Sub-category 2V created to identify documents which violate the Protective Order).
- c. Category 3: The Filter Team should disclose all documents in Category 3 directly to NCIS. When NCIS has completed its investigation, the documents should be returned to JTF-GTMO for redistribution to the detainees to whom the documents belong, as appropriate.
- d. Category 4: The Filter Team should return all documents directly to JTF-GTMO. JTF-GTMO should return the documents to the detainees to whom the documents belong, as appropriate.

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I. Once the documents have been transferred out of the possession of the Filter Team, indicate on each Document Review Form to whom the documents were transferred and the date of transfer.

4. At the onset of the review by the Filter Team, a list of ISN numbers assigned to detainees whose documents could not be reviewed was provided by DOJ and posted in clear view of all Filter Team members with instructions were given by the Filter Team Leader that documents belongs to these detainees would not be reviewed. ISN numbers for detainees, which could not be reviewed, were identified as ISN:

(b)(2)



As documents belonging to these ISN numbered detainees were found, they were not reviewed, but placed into separate boxes/containers, and placed in a secure room under NCIS control.

5. The process utilized by the Filter Team was structured as follows. In an assembly line network, documents were initially, reviewed by a JAG lawyer, a Translator, number stamped (Bates stamped), assigned a Document Review Form, and then entered in a database for tracking purposes. This database contained simple tracking data, and not detailed information contained in the seized documents. These documents were then forwarded to two teams, each consisting of a NCIS Special Agent, JAGC Lawyer and a translator. These teams reviewed the documents to determine if they were attorney-client privilege, contained information relevant to the death investigation, or contained suspected classified information. Based on the evaluation of the Filter Team, each document with its assigned Document Review Form were placed in Category 1 through 4. These documents were then put on a table where they were placed into separate envelopes and marked with ISN, CELL, Block number, Document Number Range (DNR), Category, and Document Review Form (DRF). These envelopes were then placed into boxes/containers. These boxes/containers were then sealed, weighed; numbered and marked with the appropriate Category they belonged to. On 03Nov06, these sealed boxes/containers were provided to NCIS for safekeeping and future delivery in accordance with the prescribed instructions. Enclosures (B) and (J) pertain.

6. The volume of documents was initially overwhelming. Many were single paged and loose, without any apparent logical connection to each other. Therefore, in order to group similar sets of single pages together to make the Document Review Form (DRF) process required by the DOJ guidance work, an initial screening of all documents along with an appropriate translator was conducted. Based on this initial screening, some multiple single page documents were combined together and reviewed as one "document" on the corresponding DRF. All pages were sequentially number stamped (Bates stamped) and all entries on the Document Review Form were completed. If upon

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further in-depth review by the Filter Team a single page or group of pages turned out to be significantly different than the remaining pages, it was removed from the document range on the original Document Review Form, the removal noted on the original Document Review Form, and a new separate document review form for the removed page or pages created.

7. On 24Oct06, the Senior JAGC Lawyer assigned to the Filter Team made the following proposal to speed up the process by expediting the review of obvious attorney-client material. In essence the same process as above was applied, except that each page was not Bates stamped. Only the container of the pages (folder, envelope, expandable file holder, etc.) was stamped. The enclosed pages were counted and the total noted on the DRF, and each page was screened in accordance with the Filter Team procedures. Similar to above, if upon further in depth review by the Filter Team a single page or group of pages turned out to be clearly outside the scope of the pre-screened attorney-client material, the page or pages from the expedited attorney-client material were removed and a new and separate document review form was completed for the relevant page or pages. The fact the removed pages were found with attorney-client material was noted on the new DRF. Enclosure (H) pertains.

8. On 30Oct06, a second number stamp beginning at 70000 was introduced. The two Bates number sequences used are as follows:

000000-024182
070010-079442

This, along with the expedited review procedures for attorney-client material, significantly sped up the review process, dispensing with the need for additional translators. In total, the Filter Team stamped approximately 33,600 pages and completed 1406 DRFs. Including expedited attorney-client material, the Filter Team easily reviewed over 50,000 pages of material.

9. An attempt to review items that NCIS had custody of as evidence, which was not contained in the original boxes provided to the Filter team was made. All of the evidence provided was determined to have been seized from the cell of (b)(2) one of the ISNs the Filter Team was restricted from reviewing pursuant to DOJ direction. The Filter team did not review the items seized from the deceased detainees that NCIS had already reviewed.

10. All of the documents were categorized in accordance with DOJ guidance. A separate sub-category of 2V was used for Category 2 material that was suspected to have violated the Protective Order. Nearly all of the material fell into Category 2 or Category 4. The items relevant to NCIS or the Filter Litigation Team due to a suspected violation of the Protective Order, were broke down as follows:

Category 1	5	
Category 2V	8	(7 SECRET docs)

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Category 3

6

(1 SECRET doc)

Of the Category 2V materials, seven (7) of these were either complete or partial copies of an appellate brief apparently filed in the U.S. Court of Appeals, D.C. Circuit. The unclassified description of this brief is Khalid A. F. Al Odah, No. 05-5064, No. 05-5095 thru 05-5116, consolidated appeals in the U.S. Court of Appeals, D.C. Circuit. One of the Category 3 materials was a partial copy of this same brief. All Category 2 and Category 4 materials were repackaged in envelopes noting the ISN, DNR, Cell number and Block number if available, DRF number and Category number. They were then packaged in larger boxes by Category, and were secured at the NCIS Mayport Field Office in a room that only the Supervisory Special Agent on the Filter Team had access to. Five (5) Category 1 documents and the one (1) Category 2V document that were not SECRET were packaged in a box and were secured in the same space. Twelve documents were entered into NCIS evidence custody, broken down as follows:

Category 3

Relevant to death/suicide investigation 4

SECRET docs found 1

Category 2V docs

SECRET docs found 7

Total docs seized by NCIS: 12

These twelve (12) documents of potential evidentiary value were seized because they addressed the terms death, dying, knots or possible knot tying, had drawing of possible interior structures within Camp Delta or were documents with classification markings whose declassification status could not be determined. No information relating to future acts of imminent violence or threats to national security were found.

The seven (7) Category 2V docs marked SECRET were not sent to the Filter Litigation Team. Alternate arrangements will have to be made to allow the Filter Litigation Team to review those docs.

11. There were document contained on six (6) DRFs that could not be translated. They are described as follows:

DRF 383	DNR: 008378-008381	believed to be Ughour
DRF 634	DNR: 012506-012509	unidentified language
DRF 706	DNR: 070010-070034	Tajik
DRF 975	DNR: 017427-017430	Uzbek or phonetic Arabic using Cyrillic letters
DRF 1093	DNR: 075050-075052	Bengali
DRF 1219	DNR: 021522-021544	Cyrillic letters, language unknown

12. On 03Nov06 four binders containing the DRFs, numbered by the Filter Team in sequence from 1 to 1406, were placed into the same

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

Filter Team in sequence from 1 to 1406, were placed into the same secure room as the boxes/containers containing the reviewed documents and those documents previously identified as being restricted for Filter Team review. NCIS determined that the DRF binders had to be classified as SECRET since they contained ISNs and corresponding Cell and Block information. The classified laptop computer containing the administrative database was also placed within the same sure room. Enclosure (J) pertains.

ENCLOSURE(S)

- (A) Photocopy Declaration Rear Admiral Harry B. Harris/undated
- (B) Photocopy Declaration (b)(7)(C) /07Jul06
- (C) Photocopy Declaration /11Aug06
- (D) Department of Justice Filter Team Procedures/undated
- (E) Judge Robert's Opinion regard the review/undated
- (F) Habeas litigation fact sheet/07Jul06
- (G) Habeas Case Protective Order08NOV04
- (H) Guidance regarding attorney-client determination/undated
- (I) Example Blank Document Review Form/undated
- (J) List Filter Team Boxes Placed in Protective Storage/undated

REPORTED BY: (b)(7)(C) SUPERVISORY SPECIAL AGENT
OFFICE: NCISRA CAMP LEJEUNE, NC

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LAST

(b)(7)(C) V2 LNN

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

//23B/MP/ADLANT//

INVESTIGATIVE ACTION

08DEC06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF EXAMINATION OF EVIDENCE BY USACIL

1. On 06NOV06, Reporting Agent (PA) submitted items, previously seized by NCIS, with potential evidentiary value to the US Army Criminal Investigation Laboratory (USACIL) for examination. RA prepared the Forensic Examination Request, which is appended as Enclosure (A).
2. On 07DEC06, USACIL returned a facsimile copy of the results of the examinations performed by the Forensic Document and the Latent Print Branches, which are appended as Enclosures (B) and (C). The submitted items are in route back to NCISRU Guantanamo Bay, Cuba via the United States Postal Service (USPS).
3. RA reviewed the findings provided by the USACIL Forensic Document and Latent Print Branches and made the following observations:
 - a) Item I, Evidence Custody Document (ECD) Log # 029-06 was processed for the presence of indented handwriting impressions with the Electrostatic Detection Apparatus (EDD). No decipherable handwriting impressions were found. Item I ECD Log # 029-06 was processed for the presence of fingerprints. Examination revealed one latent fingerprint and one latent palm print suitable for identification. None of the individuals for who record fingerprints were submitted made the latent fingerprint. No record palm prints were submitted.

ENCLOSURE(S)

- (A) Forensic Examination Request/06NOV06
- (B) USACIL Forensic Document Memorandum/01DEC06
- (C) USACIL Latent Print Memorandum/04DEC06

REPORTED BY: (b)(7)(C) Special Agent
OFFICE: NCISRU Guantanamo Bay, Cuba

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Exhibit (13)

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NCIS
159

NAVY CRIMINAL INVESTIGATIVE SERVICE
FORENSIC EXAMINATION REQUEST

To : USACIL
4930 North 31st Street
Forest Park, GA 30297-5025

From : NCISRU Guantanamo Bay, Cuba
(Address) PSC 1005, BOX 42
FPO AE 09593

Attn : Latent Prints/Questioned Documents

Brief description of case facts which would pertain to the requested examination and which may assist laboratory personnel in processing the evidence. Include date and place of crime.
See attachment.

Evidence Submitted:

ECD No.	Item	Item Description
		See attachment.

Examinations and/or comparisons requested (attach separate sheet if additional space needed):
See attachment.

Type of Offense:	Death
Suspect(s)	Victim(s)
	V/AL ZAHRANI, YASSER TALAL
	V/AL TABI, MANA SHAMAN ALLABARD
	V/AHMED, ALI ABDULLAH

One copy of Evidence Custody Document enclosed? ☒ Yes ☐ No
Other evidence previously submitted for this case? ☐ Yes ☒ No
If Yes, list Laboratory Report No.:

Agency Case Control Number: 10JUN06-MPGT-0031-7HNA

Investigator's Name: (b)(7)(C)

E-Mail Address : (b)(7)(C)

Office Telephone (Comm/DSN): +011-5399-4140

Fax Number : +011-5399-4130

Disposition of evidence after analysis/comparison:

☒ Return ☐ Retain at RFL ☐ Forward to another field element

Considered priority of requested examination(s): ☐ Routine ☒ As soon as possible ☐ Urgent*

* IF URGENT, SUPERVISOR'S EXPLANATION AND SIGNATURE REQUIRED *

This case is considered high-profile with significant interest at the seat of government level. Respectfully request expeditious handling.

Signature of Supervisor

The above-mentioned evidence has not been subjected to examination by other experts for the prosecution in the same scientific field as requested herein.

Typed/Printed Name of Requestor: Frank J. Soucy, III

Date of Request: November 06, 2006

Signature of Requestor

Brief Summary of Events

On 10JUN06, three detainees were found hanging in their cells within Alpha Block, Camp One, Camp Delta, Guantanamo Bay, Cuba. The first detainee was found in cell A-8 at approximately 0028. The second detainee was found in cell A-12 at approximately 0035, and the third detainee was found in cell A-5 at approximately 00XX. Each detainee was alone within his assigned cell, which was locked. The detainees were found by members of the Joint Detention Group Guard Force.

Evidence Submitted

Log # 029-06 Item (I)

Examinations Requested

Latent Prints

1. Examine the following items for the presence of latent prints. If found, compare to the known fingerprints of V/AL ZAHRANI, V/AL TABI, and V/AHMED. The fingerprints for V/AL ZAHRANI, V/AL TABI and V/AHMED, were all provided previously to (b)(7)(C) at USACIL. The USACIL Case Number is 2006-CID131-1263.

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Log # 029-06 Item (I)

Questioned Documents

1. Examine the following items for the presence of indented writing. If found, photograph the writing for translation purposes.

Log # 029-06 Item (I)

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**DEPARTMENT OF THE ARMY
US ARMY CRIMINAL INVESTIGATION LABORATORY
4030 N 31ST STREET
FOREST PARK, GA 30297-5205**

CILA-FD

1 December 2006

**MEMORANDUM FOR SPECIAL AGENT IN CHARGE, NAVAL CRIMINAL
INVESTIGATIVE SERVICE, RESIDENT AGENCY JACKSONVILLE, POST OFFICE
BOX 58, NAS JACKSONVILLE, FL 32212**

**SUBJECT: Forensic Document Branch - Final Report
USACIL Case Number 2006-CID131-1263-R1
Submitter Case Number 10JUN06-MPGT-0031-7HNA**

EXHIBITS:

**19 - Handwritten note bearing drawings and other writings
(Item I, Log 029-06).**

FINDINGS:

- 1. Exhibit 19 was processed for the presence of indented handwriting impressions. No decipherable handwriting impressions were found.**
- 2. Record images were made of Exhibit 19.**
- 3. The ESDA lift of Exhibit 19 was forwarded to the submitting office along with a copy of this report.**
- 4. Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the undersigned.**

AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

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1 of 2

Enclosure (B)
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CILA-FD

SUBJECT: Forensic Document Branch - Final Report
USACIL Case Number 2006-CID131-1263-R1
Submitter Case Number 10JUN06-MPGT-0031-7HNA

These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory. Point of contact is the Evidence Processing Branch, DSN 797-7082/7109/7110/4612/4613/4614, Commercial (404) 469-7082/7109/7110/4612/4613/4614, Fax DSN 797-4615, or Email: usacil@conus.army.mil.

(b)(7)(C)

NCIS
BTC

Forensic Document Examiner

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2 of 2 NCIS

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DEPARTMENT OF THE ARMY
US ARMY CRIMINAL INVESTIGATION LABORATORY
4930 N 31ST STREET
FOREST PARK, GA 30297-5205

CILA-LP

04 December 2006

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, NAVAL CRIMINAL
INVESTIGATIVE SERVICE, RESIDENT AGENCY JACKSONVILLE, POST OFFICE
BOX 58, NAS JACKSONVILLE, FL 32212

SUBJECT: Latent Print Branch - Final Report
USACIL Case Number 2006-CID131-1263-R1
Submitter Case Number 10JUN06-MPGT-0031-7HNA

EXHIBITS:

- 1-15 - Previously submitted. Not resubmitted.
- 16 - Machine reproduction record fingerprints of MANEY, AKA AL TABI, Maha; SHAMAN, Ali (FBI # 935704VB6) obtained from CJIS. Same fingerprints as Ex 5 (AL TABI).
- 17 - Machine reproduction record fingerprints of AL ZAHRANI (FBI # 377000WB1) obtained from CJIS. Same fingerprints as Ex 7 (AL ZAHRANI).
- 18 - Machine reproduction record fingerprints of AHMED, AKA NASSER (FBI # 138189WB7) obtained from CJIS. Same fingerprints as Ex 6 (AHMED).
- 19 - Handwritten notes and drawings (Item I, Log 029-06).

FINDINGS:

- 1. Examination of Exhibit 19 revealed one latent fingerprint and one latent palm print on Exhibit 19 suitable for identification.
- 2. None of the individuals for whom record fingerprints were submitted made the latent fingerprint on Exhibit 19.
- 3. No record palm prints were submitted.



AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

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1 of 2

Enclosure (C)

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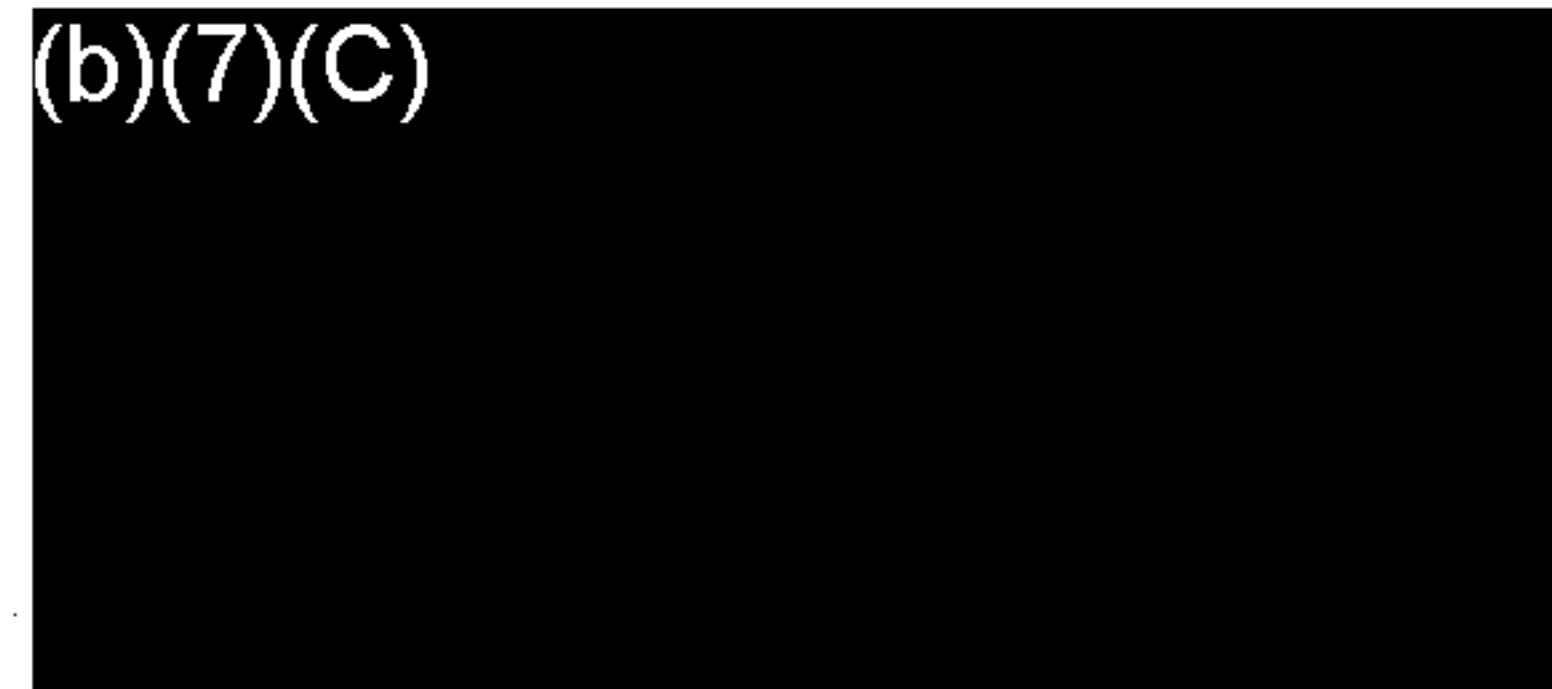
SUBJECT: Latent Print Branch - Final Report
USACIL Case Number 2006-CID131-1263-R1
Submitter Case Number 10JUN06-MPGT-0031-7HNA

4. Latent prints suitable for identification are not always suitable for the Automated Fingerprint Identification System (AFIS) searches. No latent prints from this case were submitted to AFIS.

5. Images of the latent prints remain on file.

6. Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the undersigned. These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory. Point of contact is the Evidence Processing Branch, DSN 797-7082/7109/7110/4612/4613/4614, Commercial (404) 469-7082/7109/7110/4612/4613/4614, Fax DSN 797-4615, or Email: usacil@conus.army.mil.

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NCIS
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Latent Print Examiner

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2 of 2 NCIS

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

0023B/MPMP/ADLANT/

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

17NOV06

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV

M/W/FNSA/N//26DEC83/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTM/ISN: 93/CELL A-8

V/AL TABI, MANA SHAMAN ALLABARD/CIV

M/W/FNSA/N//01JAN76/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTMO/ISN: 588/CELL A-12

V/AHMED, ALI ABDULLA H/CIV

M/W/FNYM/N//01AUG79/YEMEN

SUPP: DETAINEE BEING HELD AT JTF-GMTO/ISN: 693/CELL A-5

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA, (b)(7)(C) SPECIAL AGENT

REFERENCE(S)

- (A) NCISRU GUANTANAMO BAY ROI (INTERIM)/20JUN06 (CONTAINS EXHIBITS 1-114)
- (B) NCISRU GUANTANAMO BAY ROI (INTERIM)/25JUL06 (CONTAINS EXHIBITS 115-143)
- (C) NCISRU GUANTANAMO BAY ROI (INTERIM)/25AUG06 (CONTAINS EXHIBITS 144-152)
- (D) NCISRU GUANTANAMO BAY ROI (INTERIM)/25SEP06
- (E) NCISRU GUANTANAMO BAY ROI (INTERIM)/24OCT06 (CONTAINS EXHIBIT 153)

EXECUTIVE SUMMARY

1. ~~(S/NF)~~ INVESTIGATION WAS INITIATED ON 10JUN06, SUBSEQUENT TO THE RECEIPT OF INFORMATION FROM THE JOINT TASK FORCE GUANTANAMO BAY, CUBA (JTF-GTMO) STAFF JUDGE ADVOCATE (SJA) OF THE DEATH OF THREE DETAINEES, WITHIN JTF-GTMO CAMP DELTA. THE THREE DETAINEES WERE IDENTIFIED AS V/AL ZAHRANI (ISN 093), V/AL TABI (ISN 588), AND V/AHMED (ISN 693). V/AL ZAHRANI WAS FOUND HANGING BY THE NECK INSIDE HIS CELL, IN ALPHA BLOCK, CAMP DELTA, BY JOINT DETENTION GROUP (JDG) PERSONNEL. SUBSEQUENTLY, JDG PERSONNEL DISCOVERED V/AL TABI AND V/AHMED ALSO HANGING BY THEIR NECKS INSIDE THEIR CELLS, IN ALPHA BLOCK. ALL THREE VICTIMS WERE TAKEN DOWN AND IMMEDIATELY TRANSPORTED TO THE DETENTION (DET) CLINIC, INSIDE CAMP DELTA. V/AL ZAHRANI WAS LATER TRANSPORTED VIA AMBULANCE TO THE NAVAL HOSPITAL GUANTANAMO BAY, CUBA (NAVHOSP GTMO). V/AL ZAHRANI WAS PRONOUNCED DEAD AT NAVHOSP GTMO. V/AL TABI AND V/AHMED WERE BOTH PRONOUNCED DEAD AT THE DET CLINIC. CONTACT WAS MADE WITH THE JDG COMMANDER TO GET AN OVERVIEW OF THE SITUATION. ALL THREE BODIES WERE MOVED PRIOR TO NCIS ARRIVAL ON SCENE. THE DEATH SCENES WERE SECURED. ALL DETAINEES WERE REMOVED FROM ALPHA BLOCK AND THE ENTIRE BLOCK WAS SECURED.

~~SECRET/NOFORN~~

PAGE 1 OF 3

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INTERVIEWS WERE CONDUCTED WITH ALL JTF-GTMO PERSONNEL WHO HAD ANY DEALINGS WITH THE RESPONSE AND TREATMENT OF THE THREE DETAINEES. APPARENT SUICIDE NOTES WERE DISCOVERED IN THE CLOTHING OF ALL THREE VICTIMS. INTERVIEWS WERE CONDUCTED WITH ALL DETAINEES ASSIGNED TO ALPHA BLOCK, HOWEVER, NONE OF THE INTERVIEWEES COULD PROVIDE ANY SUBSTANTIVE INFORMATION. DEATH SCENE EXAMINATIONS WERE CONDUCTED OF THE THREE CELLS WHERE THE VICTIMS WERE FOUND HANGING. ARMED FORCES INSTITUTE OF PATHOLOGY (AFIP) PERSONNEL CONDUCTED AUTOPSIES AT NAVHOSP GTMO, ON ALL THREE VICTIMS. FINAL AUTOPSY REPORTS SUBMITTED BY AFIP LISTED THE CAUSE OF DEATH FOR ALL THREE VICTIMS TO BE HANGING AND THE MANNER OF DEATH WAS LISTED AS SUICIDE. LATENT PRINT ANALYSIS OF EVIDENCE SUBMITTED TO US ARMY CRIMINAL INVESTIGATION LABORATORY (USACIL) DETERMINED V/AHMED AND V/AL ZAHRANI'S LATENT FINGERPRINTS WERE CONTAINED ON THEIR APPARENT SUICIDE NOTES FOUND WITHIN OTHER DETAINEE'S CELLS. USACIL FORENSIC DOCUMENT EXAMINATION OF EVIDENCE FOR INDENTED HANDWRITING IMPRESSIONS ONLY FOUND IMPRESSIONS IN THE FORM OF DRAWINGS ON ONE OF THE ITEMS OF EVIDENCE SUBMITTED. NO OTHER IMPRESSIONS OF VALUE WERE NOTED ON ANY OF THE OTHER SUBMITTED ITEMS. INVESTIGATION IS PENDING THE COMPLETION OF THE REVIEW OF "FILTER TEAM" MATERIALS SEIZED AS EVIDENCE FROM THROUGHOUT THE CAMPS AND USACIL LABORATORY ANALYSIS OF NCISRU GUANTANAMO BAY EVIDENCE LOG #029-06.

NARRATIVE

1. (U) THIS IS A REACTIVE INVESTIGATION INITIATED TO DETERMINE CAUSE AND MANNER OF DEATH OF V/AL ZAHRANI, V/AL TABI AND V/AHMED. NO DETERMINATION OF A SPECIFIC STATUTE CAN BE MADE AT THIS TIME.
2. (U) ON 23OCT06, THE "FILTER TEAM" BEGAN THEIR REVIEW OF THE MATERIALS, WHICH HAD BEEN SEIZED FROM THROUGHOUT THE CAMPS. RESULTS WILL BE DOCUMENTED UPON COMPLETION OF THE REVIEW.
3. (U) ON 07NOV06, AN ADDITIONAL ITEM OF EVIDENCE, NCISRU GUANTANAMO BAY LOG #029-06, WAS SUBMITTED TO USACIL FOR EXAMINATION FOR LATENT PRINTS AND INDENTED WRITINGS.

DISTRIBUTION

NCISHQ(SI): 0023B(M)

INFO: MPMP(M)/ADLANT (M)/COMMANDER JTF-GTMO (SJA) (H)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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0023B/MPMP/ADLANT/

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

24OCT06

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV

M/W/FNSA/N//26DEC83/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTM/ISN: 93/CELL A-8

V/AL TABI, MANA SHAMAN ALLABARD/CIV

M/W/FNSA/N//01JAN76/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTMO/ISN: 588/CELL A-12

V/AHMED, ALI ABDULLA H/CIV

M/W/FNYM/N//01AUG79/YEMEN

SUPP: DETAINEE BEING HELD AT JTF-GMTO/ISN: 693/CELL A-5

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA (b)(7)(C) SPECIAL AGENT

REFERENCE(S)

- (A) NCISRU GUANTANAMO BAY ROI (INTERIM)/20JUN06 (CONTAINS EXHIBITS 1-114)
- (B) NCISRU GUANTANAMO BAY ROI (INTERIM)/25JUL06 (CONTAINS EXHIBITS 115-143)
- (C) NCISRU GUANTANAMO BAY ROI (INTERIM)/25AUG06 (CONTAINS EXHIBITS 144-152)
- (D) NCISRU GUANTANAMO BAY ROI (INTERIM)/25SEP06

EXHIBIT(S)

- (153) (U) IA: RESULTS OF EXAMINATION OF EVIDENCE BY USACIL FORENSIC DOCUMENT BRANCH/19SEP06...(COPY ALL)

EXECUTIVE SUMMARY

1. (S/NF) INVESTIGATION WAS INITIATED ON 10JUN06, SUBSEQUENT TO THE RECEIPT OF INFORMATION FROM THE JOINT TASK FORCE GUANTANAMO BAY, CUBA (JTF-GTMO) STAFF JUDGE ADVOCATE (SJA) OF THE DEATH OF THREE DETAINEES, WITHIN JTF-GTMO CAMP DELTA. THE THREE DETAINEES WERE IDENTIFIED AS V/AL ZAHRANI (ISN 093), V/AL TABI (ISN 588), AND V/AHMED (ISN 693). V/AL ZAHRANI WAS FOUND HANGING BY THE NECK INSIDE HIS CELL, IN ALPHA BLOCK, CAMP DELTA, BY JOINT DETENTION GROUP (JDG) PERSONNEL. SUBSEQUENTLY, JDG PERSONNEL DISCOVERED V/AL TABI AND V/AHMED ALSO HANGING BY THEIR NECKS INSIDE THEIR CELLS, IN ALPHA BLOCK. ALL THREE VICTIMS WERE TAKEN DOWN AND IMMEDIATELY TRANSPORTED TO THE DETENTION (DET) CLINIC, INSIDE CAMP DELTA. V/AL ZAHRANI WAS LATER TRANSPORTED VIA AMBULANCE TO THE NAVAL HOSPITAL GUANTANAMO BAY, CUBA (NAVHOSP GTMO). V/AL ZAHRANI WAS PRONOUNCED DEAD AT NAVHOSP GTMO. V/AL TABI AND V/AHMED WERE BOTH PRONOUNCED DEAD AT THE DET CLINIC. CONTACT WAS MADE WITH THE JDG COMMANDER TO GET AN OVERVIEW OF THE SITUATION. ALL THREE BODIES WERE MOVED PRIOR TO NCIS ARRIVAL ON SCENE. THE DEATH SCENES WERE SECURED. ALL DETAINEES WERE REMOVED FROM ALPHA BLOCK AND THE ENTIRE BLOCK WAS SECURED.

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

~~SECRET~~

~~NOFORN~~

10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INTERVIEWS WERE CONDUCTED WITH ALL JTF-GTMO PERSONNEL WHO HAD ANY DEALINGS WITH THE RESPONSE AND TREATMENT OF THE THREE DETAINEES. APPARENT SUICIDE NOTES WERE DISCOVERED IN THE CLOTHING OF ALL THREE VICTIMS. INTERVIEWS WERE CONDUCTED WITH ALL DETAINEES ASSIGNED TO ALPHA BLOCK, HOWEVER, NONE OF THE INTERVIEWEES COULD PROVIDE ANY SUBSTANTIVE INFORMATION. DEATH SCENE EXAMINATIONS WERE CONDUCTED OF THE THREE CELLS WHERE THE VICTIMS WERE FOUND HANGING. ARMED FORCES INSTITUTE OF PATHOLOGY (AFIP) PERSONNEL CONDUCTED AUTOPSIES AT NAVHOSP GTMO, ON ALL THREE VICTIMS. FINAL AUTOPSY REPORTS SUBMITTED BY AFIP LISTED THE CAUSE OF DEATH FOR ALL THREE VICTIMS TO BE HANGING AND THE MANNER OF DEATH WAS LISTED AS SUICIDE. LATENT PRINT ANALYSIS OF EVIDENCE SUBMITTED TO US ARMY CRIMINAL INVESTIGATION LABORATORY (USACIL) DETERMINED V/AHMED AND V/AL ZAHRANI'S LATENT FINGERPRINTS WERE CONTAINED ON THEIR APPARENT SUICIDE NOTES FOUND WITHIN OTHER DETAINEE'S CELLS. USACIL FORENSIC DOCUMENT EXAMINATION OF EVIDENCE FOR INDENTED HANDWRITING IMPRESSIONS ONLY FOUND IMPRESSIONS IN THE FORM OF DRAWINGS ON ONE OF THE ITEMS OF EVIDENCE SUBMITTED. NO OTHER IMPRESSIONS OF VALUE WERE NOTED ON ANY OF THE OTHER SUBMITTED ITEMS. INVESTIGATION IS PENDING REVIEW OF "FILTER TEAM" MATERIALS SEIZED AS EVIDENCE FROM THROUGHOUT THE CAMPS.

NARRATIVE

1. (U) THIS IS A REACTIVE INVESTIGATION INITIATED TO DETERMINE CAUSE AND MANNER OF DEATH OF V/AL ZAHRANI, V/AL TABI AND V/AHMED. NO DETERMINATION OF A SPECIFIC STATUTE CAN BE MADE AT THIS TIME.

2. (U) ON 08SEP06, NCISRA JACKSONVILLE RETURNED EVIDENCE TO NCISRU GUANTANAMO BAY RECEIVED FROM THE USACIL FORENSIC DOCUMENT BRANCH. USACIL HAD PERFORMED AN EXAMINATION OF EVIDENCE FOR INDENTED HANDWRITING IMPRESSIONS, BUT ONLY FOUND IMPRESSIONS IN THE FORM OF DRAWINGS ON ONE OF THE ITEMS OF EVIDENCE SUBMITTED. NO OTHER IMPRESSIONS OF VALUE WERE NOTED ON ANY OF THE OTHER SUBMITTED ITEMS, EXHIBIT (153).

3. (U) SINCE THE SUBMISSION OF REFERENCE (D), ON 06OCT06, REPORTING AGENT (RA) ESCORTED THE "FILTER TEAM" MATERIALS, NCISRU GUANTANAMO BAY EVIDENCE CUSTODY DOCUMENT (ECD) LOG # 030-06, FROM NAVAL STATION GUANTANAMO BAY TO NAVAL AIR STATION JACKSONVILLE, FL WHERE IT WAS RECEIVED BY NCIS SOUTHEAST FIELD OFFICE PERSONNEL AND TRANSPORTED TO NCISFO MAYPORT, FL, WHERE IT WAS SECURED WITHIN THE SEFO CONSOLIDATED EVIDENCE FACILITY. ON 23OCT06, THE "FILTER TEAM" BEGAN THE REVIEW OF THE MATERIALS SEIZED FROM THROUGHOUT THE CAMPS.

3. (U) INVESTIGATION IS PENDING COMPLETION OF THE REVIEW BY A "FILTER TEAM" OF ITEMS SEIZED FROM DETAINEE CELLS THROUGHOUT THE CAMPS AND ANY ADDITIONAL INVESTIGATIVE ENDEAVORS, WHICH MAY DEVELOP.

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

DISTRIBUTION

NCISHQ(SI): 0023B(M)

INFO: MPMP(M)/ADLANT (M)/COMMANDER JTF-GTMO (SJA) (H)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

//23B/MP/ADLANT//

INVESTIGATIVE ACTION

19SEP06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF EXAMINATION OF EVIDENCE BY USACIL FORENSIC DOCUMENT BRANCH

1. On 21Jun06, Participating Agent (PA) (b)(7)(C) submitted items, previously seized by NCIS, with potential evidentiary value to the US Army Criminal Investigation Laboratory (USACIL) for examination. Participating Agent (PA) (b)(7)(C) prepared the Forensic Examination Request, which is appended as Enclosure (A).

2. On 02Aug06, USACIL returned the submitted items to NCISRA Jacksonville, FL along with results of the examinations performed by the Forensic Document Branch, which are appended as Enclosure (B). The submitted items were returned to NCISRU Guantanamo Bay, Cuba on 08Sep06.

3. Reporting Agent (RA) reviewed the findings provided by the USACIL Forensic Document Branch and made the following observations:

a) Item A, Evidence Custody Document (ECD) Log # 009-06; Item D, ECD Log # 010-06; Item B, ECD Log # 011-06; and Item D, ECD Log # 013-06 were all processed for the presence of indented handwriting impressions with the Electrostatic Detection Apparatus (EDD). Handwritten impressions in the form of drawings were identified on Item D, ECD Log # 013-06. No other impressions of value were noted on any of the remaining items. EDD lifts created during this examination were entered into evidence and forwarded on from NCISRA Jacksonville to NCISRA Guantanamo Bay.

PARTICIPANT(S)

(b)(7)(C) Special Agent, NCISRA Jacksonville, FL
(b)(7)(C), Special Agent, Forensic Consultant Unit, NCISHQ

ENCLOSURE(S)

(A) Forensic Examination Request/19JUN06
(B) USACIL Memorandum/29JUN06

REPORTED BY: (b)(7)(C) Special Agent
OFFICE: NCISRU Guantanamo Bay, Cuba

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Page 1 LAST (b)(7)(C) V2 LNY

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AUTHORIZATION FROM THE NAVAL CRIMINAL INVESTIGATIVE SERVICE.

Exhibit 1A

NAVY CRIMINAL INVESTIGATIVE SERVICE FORENSIC EXAMINATION REQUEST

To : USACIL
4930 North 31st Street
Forest Park, GA 30297-5025

From : NCISRA Jacksonville
(Address) P.O. Box 58
Jacksonville, FL 32212

Attn : Latent Prints/Questioned Documents

Brief description of case facts which would pertain to the requested examination and which may assist laboratory personnel in processing the evidence. Include date and place of crime.

See attachment.

Evidence Submitted:

ECD No.	Item	Item Description
		See attachment.

Examinations and/or comparisons requested (attach separate sheet if additional space needed):

See attachment.

Type of Offense:	Death
Suspect(s)	Victim(s)
	V/AL ZAHRANI, YASSER TALAL
	V/AL TABI, MANA SHAMAN ALLABARD
	V/AHMED, ALI ABDULLAH

One copy of Evidence Custody Document enclosed?

☒ Yes ☐ No

Other evidence previously submitted for this case?

☐ Yes ☒ No

If Yes, list Laboratory Report No.:

Agency Case Control Number: 10JUN06-MPGT-0031-7HNA

Investigator's Name: (b)(7)(C)

E-Mail Address : (b)(7)(C)

Office Telephone (Comm/DSN): +011-5399-4140

Fax Number : +011-5399-4130

Disposition of evidence after analysis/comparison:

☒ Return ☐ Retain at RFL ☐ Forward to another field element

Considered priority of requested examination(s): ☐ Routine ☐ As soon as possible ☒ Urgent*

*** IF URGENT, SUPERVISOR'S EXPLANATION AND SIGNATURE REQUIRED ***

This case is considered high-profile with significant interest at the seat of government level. Respectfully request expeditious handling.

(b)(7)(C)

Signature of Supervisor

The above-mentioned evidence has not been subjected to examination by other experts for the prosecution in the same scientific field as requested herein.

(b)(7)(C)

Date of Request:

Signature of Requester

V/AL ZAHRANI, YASSER TALAL
V/AL TABI, MANA SHAMAN ALLABARD
V/AHMED, ALI ABDULLAH
10JUN06-MPGT-0031-7HNA

Brief Summary of Events

On 10JUN06, between 0025 and 0043, three detainees were found hanging in their assigned cells within Alpha Block, Camp One, Camp Delta, Guantanamo Bay, Cuba. Members of the Joint Detention Group guard force found the detainees within their locked cells, numbered A-5, A-8, and A-12. Details of the three scenes were similar, suggesting the detainees planned the incident prior to its execution.

Evidence Submitted

Log # 009-06, Item (A)
Log # 010-06, Item (D)
Log # 011-06, Item (B)
Log # 013-06, Item (D)
Log # 016-06, Item (A)
Log # 017-06, Item (E)
Log # 018-06, Item (E)
Log # 019-06, Item (A)
Log # 020-06, Item (A)
Log # 023-06, Item (A)
Log # 025-06, Item (A)
Log # 027-06, Item (A)
Log # 028-06, Items (A), (B) and (C)

Examinations Requested

Latent Prints

1. Compare the latent prints under Log # 019-06, Item (A) and Log # 020-06, Item (A) to the known fingerprints and footprints of V/AL ZAHRANI and V/AHMED.
2. Examine the following items for the presence of latent prints. If found, compare to the known fingerprints of V/AL ZAHRANI, V/AHMED, and V/AL TABI, which are listed above. Note that Log # 027-06, Item (A) and Log # 028-06, Items (A)-(C) were found in two other cells, but are believed to have been authored by one of the victims. These cells belong to detainees

(b)(6)

Exclusionary fingerprints for these individuals are available through the Federal Bureau of Investigation.

Log # 009-06, Item (A)
Log # 010-06, Item (D)
Log # 011-06, Item (B)
Log # 013-06, Item (D)
Log # 027-06, Item (A)

Log # 028-06, Items (A), (B), and (C)

Questioned Documents

1. Examine the following items for the presence of indented writing. If found, photograph the text for translation purposes.

Log # 009-06, Item (A)

Log # 010-06, Item (D)

Log # 011-06, Item (B)

Log # 013-06, Item (D)



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DEPARTMENT OF THE ARMY
US ARMY CRIMINAL INVESTIGATION LABORATORY
4930 N 31ST STREET
FOREST PARK, GA 30297-5205

CILA-EP

29 June 2006

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, NAVAL CRIMINAL
INVESTIGATIVE SERVICE, RESIDENT AGENCY JACKSONVILLE, POST OFFICE
BOX 58, NAS JACKSONVILLE, FL 32212

SUBJECT: Forensic Branch Report(s)
USACIL Case Number 2006-CID131-1263
Submitter Case Number 10JUN06-MPGT-0031-7HNA

1. Enclosed are the Interim Laboratory Exhibit List (Encl 1) and Final Branch Report for the Forensic Document (Encl 2) Branch. The Latent Print Branch Report is pending.
2. Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the forensic examiner(s) assigned to the case. These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory. One original report is enclosed and the other is kept in the official files of this laboratory and maintained IAW AR 25-400-2 and CIDR 195-1.
3. All items received in the laboratory for examination are returned to the submitting agency upon completion of laboratory testing.
4. IAW AR 195-2, requests and fund cites for court appearances of Laboratory Examiners will be made at least 10 working days prior to the date of court proceedings.
5. Point of contact is the Evidence Processing Branch, DSN 797-7082/7109/7110/4612/4613/4614, Commercial (404) 469-7082/7109/7110/4612/4613/4614, Fax DSN 797-4615, or Email: usacil@usacil.army.mil.

(b)(7)(C)

2 Encls

Deputy Records Custodian



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1 of 1

NCIS

Enclosure (B)

175

29 June 2006

INTERIM LABORATORY EXHIBIT LISTING

SUBJECT: USACIL Case Number 2006-CID131-1263
Submitter Case Number 10JUN06-MPGT-0031-7HNA

EXHIBITS:

- 1 - Sheet of bond paper bearing handwritten entries in what appears to be a foreign language (Item A, Log 009-06).
- 2 - Sheet of bond paper bearing handwritten entries in what appears to be a foreign language (Item D, Log 010-06)
- 3 - Sheet of bond paper bearing handwritten entries in what appears to be a foreign language (Item B, Log 011-06).
- 4(1-2) - Sheets of bond paper (Item D, Log 013-06).
- 5 - Record fingerprints (Item A, Log 016-06).
- 6 - Record fingerprints (Item E, Log 017-06).
- 7 - Record fingerprints (Item E, Log 018-06).
- 8 - Lifts (Item A, Log 019-06).
- 9 - Lifts (Item A, Log 020-06).
- 10 - Record footprints (Item A, Log 023-06).
- 11 - Record footprints (Item A, Log 025-06).
- 12 - Note (Item A, Log 027-06).
- 13 - Notes (Item A, Log 028-06).
- 14 - Notes (Item B, Log 028-06).
- 15 - Notes (Item C, Log 028-06).



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DEPARTMENT OF THE ARMY
US ARMY CRIMINAL INVESTIGATION LABORATORY
4930 N 31ST STREET
FOREST PARK, GA 30297-5205

CILA-FD

28 June 2006

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, NAVAL CRIMINAL
INVESTIGATIVE SERVICE, RESIDENT AGENCY JACKSONVILLE, POST OFFICE
BOX 58, NAS JACKSONVILLE, FL 32212

SUBJECT: Forensic Document Branch - Final Report
USACIL Case Number 2006-CID131-1263
Submitter Case Number 10JUN06-MPGT-0031-7HNA

EXHIBITS:

- 1 - Sheet of bond paper bearing handwritten entries in what appears to be a foreign language (Item A, Log 009-06).
- 2 - Sheet of bond paper bearing handwritten entries in what appears to be a foreign language (Item D, Log 010-06)
- 3 - Sheet of bond paper bearing handwritten entries in what appears to be a foreign language (Item B, Log 011-06).
- 4(1-2)- Sheets of bond paper (Item D, Log 013-06).

FINDINGS:

1. Exhibits 1, 2, 3 and 4(1-2) were processed for the presence of indented handwriting impressions. Handwritten impressions in the form of drawings were identified on Exhibit 4(1). No other impressions of value were noted on any of the remaining Exhibits.
2. Record images were made of Exhibits 1, 2, 3 and 4(1-2), including the ESDA lifts.
3. The ESDA lifts of Exhibits 1, 2, 3 and 4(1-2) were forwarded to the submitting office along with a copy of this report.

AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

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1 of 2

End 2

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CILA-FD

SUBJECT: Forensic Document Branch - Final Report
USACIL Case Number 2006-CID131-1263
Submitter Case Number 10JUN06-MPGT-0031-7HNA

4. Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the undersigned. These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal Investigation Laboratory. Point of contact is the Evidence Processing Branch, DSN 797-7082/7109/7110, Commercial (404) 469-7082/7109/7110, Fax DSN 797-4615, or Email: usacil@usacil.army.mil.

(b)(7)(C)



Forensic Document Examiner

0023B/MPMP

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

25SEP06

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV

M/W/FNSA/N//26DEC83/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTM/ISN: 93/CELL A-8

V/AL TABI, MANA SHAMAN ALLABARD/CIV

M/W/FNSA/N//01JAN76/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTMO/ISN: 588/CELL A-12

V/AHMED, ALI ABDULLA H/CIV

M/W/FNYM/N//01AUG79/YEMEN

SUPP: DETAINEE BEING HELD AT JTF-GMTO/ISN: 693/CELL A-5

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA/ (b)(7)(C) SPECIAL AGENT

REFERENCE(S)

- (A) NCISRU GUANTANAMO BAY ROI (INTERIM)/20JUN06 (CONTAINS EXHIBITS 1-114)
- (B) NCISRU GUANTANAMO BAY ROI (INTERIM)/25JUL06 (CONTAINS EXHIBITS 115-143)
- (C) NCISRU GUANTANAMO BAY ROI (INTERIM)/25AUG06 (CONTAINS EXHIBITS 144-152)

EXECUTIVE SUMMARY

1. (S/NF) INVESTIGATION WAS INITIATED ON 10JUN06, SUBSEQUENT TO THE RECEIPT OF INFORMATION FROM THE JOINT TASK FORCE GUANTANAMO BAY, CUBA (JTF-GTMO) STAFF JUDGE ADVOCATE (SJA) OF THE DEATH OF THREE DETAINEES, WITHIN JTF-GTMO CAMP DELTA. THE THREE DETAINEES WERE IDENTIFIED AS V/AL ZAHRANI (ISN 093), V/AL TABI (ISN 588), AND V/AHMED (ISN 693). V/AL ZAHRANI WAS FOUND HANGING BY THE NECK INSIDE HIS CELL, IN ALPHA BLOCK, CAMP DELTA, BY JOINT DETENTION GROUP (JDG) PERSONNEL. SUBSEQUENTLY, JDG PERSONNEL DISCOVERED V/AL TABI AND V/AHMED ALSO HANGING BY THEIR NECKS INSIDE THEIR CELLS, IN ALPHA BLOCK. ALL THREE VICTIMS WERE TAKEN DOWN AND IMMEDIATELY TRANSPORTED TO THE DETENTION (DET) CLINIC, INSIDE CAMP DELTA. V/AL ZAHRANI WAS LATER TRANSPORTED VIA AMBULANCE TO THE NAVAL HOSPITAL GUANTANAMO BAY, CUBA (NAVHOSP GTMO). V/AL ZAHRANI WAS PRONOUNCED DEAD AT NAVHOSP GTMO. V/AL TABI AND V/AHMED WERE BOTH PRONOUNCED DEAD AT THE DET CLINIC. CONTACT WAS MADE WITH THE JDG COMMANDER TO GET AN OVERVIEW OF THE SITUATION. ALL THREE BODIES WERE MOVED PRIOR TO NCIS ARRIVAL ON SCENE. THE DEATH SCENES WERE SECURED. ALL DETAINEES WERE REMOVED FROM ALPHA BLOCK AND THE ENTIRE BLOCK WAS SECURED. INTERVIEWS WERE CONDUCTED WITH ALL JTF-GTMO PERSONNEL WHO HAD ANY DEALINGS WITH THE RESPONSE AND TREATMENT OF THE THREE DETAINEES. APPARENT SUICIDE NOTES WERE DISCOVERED IN THE CLOTHING OF ALL THREE VICTIMS. INTERVIEWS WERE CONDUCTED U. S. NAVAL CRIMINAL

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10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE SERVICE WITH ALL DETAINEES ASSIGNED TO ALPHA BLOCK. DEATH SCENE EXAMINATIONS WERE CONDUCTED OF THE THREE CELLS WHERE THE VICTIMS WERE FOUND HANGING. ARMED FORCES INSTITUTE OF PATHOLOGY (AFIP) PERSONNEL CONDUCTED AUTOPSIES AT NAVHOSP GTMO, ON ALL THREE VICTIMS. FINAL AUTOPSY REPORTS SUBMITTED BY AFIP LISTED THE CAUSE OF DEATH FOR ALL THREE VICTIMS TO BE HANGING AND THE MANNER OF DEATH WAS LISTED AS SUICIDE. EVIDENCE WAS SUBMITTED TO US ARMY CRIMINAL INVESTIGATION LABORATORY (USACIL) FOR ANALYSIS. THE LATENT PRINT EXAMINATION RESULTS WERE RECEIVED FROM USACIL INDICATING V/AHMED AND V/AL ZAHRANI'S LATENT FINGERPRINTS WERE CONTAINED ON THEIR APPARENT SUICIDE NOTES FOUND WITHIN OTHER DETAINEE'S CELLS. HOWEVER, FINAL ANALYSIS OF THE DOUCMENTS IS PENDING ANALYSIS FOR ENDENTURED WRITINGS. AN ESTIMATED DATE OF COMPLETION IS UNKNOWN AT THIS TIME. ALL EVIDENCE EXCEPT FOR THE "FILTER TEAM" EVIDENCE WAS REVIEWED. INVESTIGATION IS PENDING REVIEW OF "FILTER TEAM" MATERIALS SEIZED AS EVIDENCE FROM THROUGHOUT THE CAMPS.

AN IN-DEPTH REVIEW OF ALL EVIDENCE SEIZED

NARRATIVE

1. (U) THIS IS A REACTIVE INVESTIGATION INITIATED TO DETERMINE CAUSE AND MANNER OF DEATH OF V/AL ZAHRANI, V/AL TABI AND V/AHMED. NO DETERMINATION OF A SPECIFIC STATUTE CAN BE MADE AT THIS TIME.
2. (U) INVESTIGATION IS PENDING USACIL QUESTIONED DOCUMENTS BRANCH FINDINGS, REVIEW BY A "FILTER TEAM" OF ITEMS SEIZED FROM DETAINEE CELLS THROUGHOUT THE CAMPS AND ANY ADDITIONAL INVESTIGATIVE ENDEAVORS WHICH MAY DEVELOP.

PARTICIPANT(S)

(b)(7)(C) [REDACTED], SUPERVISORY SPECIAL AGENT, NCISRU GUANTANAMO BAY, CUBA

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INFO: MPMP(M)/ADLANT (M)/COMMANDER JTF-GTMO (SJA) (H)

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U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

25AUG06

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV

M/W/FNSA/N//26DEC83/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTM/ISN: 93/CELL A-8

V/AL TABI, MANA SHAMAN ALLABARD/CIV

M/W/FNSA/N//01JAN76/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTMO/ISN: 588/CELL A-12

V/AHMED, ALI ABDULLA H/CIV

M/W/FNYM/N//01AUG79/YEMEN

SUPP: DETAINEE BEING HELD AT JTF-GMTO/ISN: 693/CELL A-5

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA, (b)(7)(C)

SPECIAL AGENT

REFERENCE(S)

- (A) NCISRU GUANTANAMO BAY ROI (INTERIM)/20JUN06 (CONTAINS EXHIBITS 1-114)
- (B) NCISRU GUANTANAMO BAY ROI (INTERIM)/25JUL06 (CONTAINS EXHIBITS 115-143)

EXHIBIT(S)

- (144) (U) SWORN STATEMENT FELICIANO/20JUN06... (COPY ALL)
- (145) (S/NF) IA: RE-INTERVIEW OF (b)(3):10 USC 6420b (b)(6) (b)(7)(C) 20JUL06... (COPY ALL)
- (146) (S/NF) IA: RE-INTERVIEW OF (b)(3) (b)(6) (b)(7)(C) 20JUL06... (COPY ALL)
- (147) (S/NF) IA RE-INTERVIEW OF (b)(3) (b)(6) (b)(7)(C) USN/20JUL06... (COPY ALL)
- (148) (S/NF) FINAL AUTOPSY REPORT FOR AL TABI/ 31JUL06... (COPY ALL)
- (149) (S/NF) FINAL AUTOPSY REPORT FOR AHMED/01AUG06... (COPY ALL)
- (150) (S/NF) FINAL AUTOPSY REPORT FOR AL ZAHRANI/ 02AUG06... (COPY ALL)
- (151) (U) IA: RESULTS OF SEIZURE/02AUG06... (COPY ALL)
- (152) (U) IA: RESULTS OF EXAMINATION OF EVIDENCE BY USACIL LATENT PRINT BRANCH/02AUG06... (COPY ALL)

EXECUTIVE SUMMARY

1. (S/NF) INVESTIGATION WAS INITIATED ON 10JUN06, SUBSEQUENT TO THE RECEIPT OF INFORMATION FROM THE JOINT TASK FORCE GUANTANAMO BAY, CUBA (JTF-GTMO) STAFF JUDGE ADVOCATE (SJA) OF THE DEATH OF THREE DETAINEES, WITHIN JTF-GTMO CAMP DELTA. THE THREE DETAINEES WERE IDENTIFIED AS V/AL ZAHRANI (ISN 093), V/AL TABI (ISN 588), AND V/AHMED (ISN 693). V/AL ZAHRANI WAS FOUND HANGING BY THE NECK INSIDE HIS CELL, IN ALPHA BLOCK, CAMP DELTA, BY JOINT DETENTION

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PAGE 1 OF 3

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

GROUP (JDG) PERSONNEL. SUBSEQUENTLY, JDG PERSONNEL DISCOVERED V/AL TABI AND V/AHMED ALSO HANGING BY THEIR NECKS INSIDE THERE CELLS, IN ALPHA BLOCK. ALL THREE VICTIMS WERE TAKEN DOWN AND IMMEDIATELY TRANSPORTED TO THE DETENTION (DET) CLINIC, INSIDE CAMP DELTA. V/AL ZAHRANI WAS LATER TRANSPORTED VIA AMBULANCE TO THE NAVAL HOSPITAL GUANTANAMO BAY, CUBA (NAVHOSP GTMO). V/AL ZAHRANI WAS PRONOUNCED DEAD AT NAVHOSP GTMO. V/AL TABI AND V/AHMED WERE BOTH PRONOUNCED DEAD AT THE DET CLINIC. CONTACT WAS MADE WITH THE JDG COMMANDER TO GET AN OVERVIEW OF THE SITUATION. ALL THREE BODIES WERE MOVED PRIOR TO NCIS ARRIVAL ON SCENE. THE DEATH SCENES WERE SECURED. ALL DETAINEES WERE REMOVED FROM ALPHA BLOCK AND THE ENTIRE BLOCK WAS SECURED. INTERVIEWS WERE CONDUCTED WITH ALL JTF-GTMO PERSONNEL WHO HAD ANY DEALINGS WITH THE RESPONSE AND TREATMENT OF THE THREE DETAINEES. APPARENT SUICIDE NOTES WERE DISCOVERED IN THE CLOTHING OF ALL THREE VICTIMS. INTERVIEWS WERE CONDUCTED WITH ALL DETAINEES ASSIGNED TO ALPHA BLOCK. DEATH SCENE EXAMINATIONS WERE CONDUCTED OF THE THREE CELLS WHERE THE VICTIMS WERE FOUND HANGING. ARMED FORCES INSTITUTE OF PATHOLOGY (AFIP) PERSONNEL CONDUCTED AUTOPSIES AT NAVHOSP GTMO, ON ALL THREE VICTIMS. FINAL AUTOPSY REPORTS SUBMITTED BY AFIP LISTED THE CAUSE OF DEATH FOR ALL THREE VICTIMS TO BE HANGING AND THE MANNER OF DEATH WAS LISTED AS SUICIDE. EVIDENCE WAS SUBMITTED TO US ARMY CRIMINAL INVESTIGATION LABORATORY (USACIL) FOR ANALYSIS. THE LATENT PRINT EXAMINATION RESULTS WERE RECEIVED FROM USACIL INDICATING V/AHMED AND V/AL ZAHRANI'S LATENT FINGERPRINTS WERE CONTAINED ON THEIR APPARENT SUICIDE NOTES FOUND WITHIN OTHER DETAINEE'S CELLS. HOWEVER, FINAL ANALYSIS OF THE DOCUMENTS IS PENDING ANALYSIS FOR ENDENTURED WRITINGS. AN ESTIMATED DATE OF COMPLETION IS UNKNOWN AT THIS TIME.

NARRATIVE

1. (U) THIS IS A REACTIVE INVESTIGATION INITIATED TO DETERMINE CAUSE AND MANNER OF DEATH OF V/AL ZAHRANI, V/AL TABI AND V/AHMED. NO DETERMINATION OF A SPECIFIC STATUTE CAN BE MADE AT THIS TIME.

2. (U) ON 20JUN06, PA (b)(7)(C) INTERVIEWED (b)(3):10 USC NC, USN, 323-62-7949, WHO REPORTED ON 10JUN06, HE RESPONDED TO THE DETAINEE CLINIC WHEN HE HEARD ABOUT THREE SUICIDE ATTEMPTS. (b)(3):10 USC INDICATED HE HAD ASSISTED THE SENIOR MEDICAL OFFICER (SMO) WITH ATTEMPTS TO SAVE THE LIVES OF THE DETAINEES, EXHIBIT (144).

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AUTHORIZATION FROM THE NAVAL CRIMINAL INVESTIGATIVE SERVICE.

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

3. ~~(S/REF)~~ SUBSEQUENT TO THE SUBMISSION OF REFERENCE (B) (b)(3):10
(b)(3):10 USC §130b, (b)(6), (b)(7)(C) JSC

(b)(3):10 USC WERE RE-INTERVIEWED BY PARTICIPATING AGENTS
(b)(3):10 USC TO PROVIDE ADDITIONAL DETAILS SURROUNDING THE
POSITIONING OF ALL THREE VICTIMS WHEN DISCOVERED. EXHIBITS (145
-147) PROVIDE AMPLYING DETAILS ON THE CONDITION AND POSTIONS OF
THE VICTIMS BODIES WHEN DISCOVERED.

4. (U) THE FINAL AUTOPSY REPORTS WERE RECEIVED FOR ALL THREE
VICTIMS. THE CAUSE OF DEATH WAS LISTED AS HANGING AND THE MANNER
OF DEATH WAS LISTED AS SUICIDE FOR ALL THREE VICTIMS, V/AL
ZAHRANI, V/AL TABI AND V/AHMED, EXHIBITS (148-150) PERTAIN.

5. (U) ON 02AUG06, THE SEFO EVIDENCE CUSTODIAN NOTIFIED
PARTICIPATING AGENT (PA) (b)(7)(C) OF THE RETURN OF EVIDENCE
SUBMITTED TO USACIL. (b)(7)(C) ENTERED THE FIVE LATENT PRINTS
LIFTER BY USACIL INTO THE EVIDENCE SYSTEM, EXHIBIT (151).

6. (U) ON 02AUG06, USACIL RETURNED SUBMITTED ITEMS AND PROVIDED
THE RESULTS OF THE EXAMINATIONS PERFORMED BY THE LATENT PRINT
BRANCH. USACIL DISCOVERED PRINTS ON ALL THE SUBMITTED ITEMS, BUT
SOME WERE NOT IDENTIFIABLE OR WERE FROM AREAS OF THE HANDS NOT
CAPTURED IN THE RECORD FINGERPRINTS SUBMITTED, EXHIBIT (152)
PROVIDES DETAILS.

7. (U) INVESTIGATION IS PENDING USACIL QUESTIONED DOCUMENTS
BRANCH FINDINGS; AN IN-DEPTH REVIEW OF ALL EVIDENCE SEIZED; AND
ANY ADDITIONAL INVESTIGATIVE ENDEAVORS WHICH MAY DEVELOP.

PARTICIPANT(S)

(b)(7)(C) SUPERVISORY SPECIAL AGENT, NCISRU GUANTANAMO BAY,
CUBA

(b)(7)(C) SPECIAL AGENT, NCISRU GUANTANAMO BAY, CUBA

(b)(7)(C) SPECIAL AGENT, NCISRA JACKSONVILLE, FL

(b)(7)(C) SPECIAL AGENT, NCISHQ WASHINGTON, DC

(b)(7)(C) CDR, MC, USN, AFIP

DISTRIBUTION

NCISHQ(SI): 0023B(M)

INFO: MPMP(M)/ADLANT (M)/COMMANDER JTF-GTMO (SJA) (H)

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AUTHORIZATION FROM THE NAVAL CRIMINAL INVESTIGATIVE SERVICE.

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STATEMENT

Place : NCISRA GUANTANAMO BAY CUBA

Date : June 20, 2006

I, (b)(3):10 USC §130b, (b)(6), (b)(7)(C) make the following free and voluntary statement to (b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of medical assistance provided to a detainee in the Detainee Clinic.

For information, I am a (b)(3) (b)(6) (b)(7)(C) I am a (b)(3):10 USC §130b, (b)(6), (b)(7)(C) Nurse Corps assigned on temporary duty to the Dehavioral Health Unit, Joint Task Force, Guantanamo Bay, Cuba. I was assigned to work the night shift that started at 1930, (b)(2) to (b)(2) 10JUN06. My social security number is (b)(3):10 USC §130b, (b)(6), (b)(7)(C)

At approximately 0045-0100, I was at the Nurses Station within the Behavioral Health Unit when I was told by a guard that there were three suicide attempt, which is called a (b)(2) and the detainees were taken to the detainee clinic. I went to the clinic to help, and upon arriving, the ambulance was departing with the first detainee. I went to the far room on the left, where the Senior Medical Officer (SMO) was attempting to open the mouth of a detainee so that an airway could be established. I helped hold the detainees head. The detainee's mouth was clamped shut. The SMO only was able to slightly open his mouth and the SMO then used hemostats to (b)(2) I assisted in trying to establish an airway and to ventilate the detainee but we were not successful. Someone did put a tube in the detainee's nose. The detainee already had an AED monitor connected that read a flat line with no palpable pulse. CPR was also being administered with corpsmen doing the compressions. I continued trying to establish an open airway. The SMO left us to work on the third detainee. Dr. (b)(3) an Army Doctor arrived and completed a heart thump and corneal reflex and both produced negative results.

This statement, consisting of this page and 0 other page(s) was typed for me by (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief.

Signature: _____

Sworn to and subscribed before me this 20th day of June in the year 2006 at _____

Witnessed: _____
(b)(7)(C)

Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

//23/MP//

INVESTIGATIVE ACTION

20JUL06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER/CIV
M/W/FNSA/N//25DEC83/SAUDI ARABIA

RE-INTERVIEW OF (b)(3):10 USC §130b, (b)(6), (b)(7)(C)

1. (S/NF) On 20JUL06, (b)(3):10 USC §130b, (b)(6), (b)(7)(C) was re-interviewed in order to obtain additional details regarding the deaths of V/AL ZAHRANI, V/AL TABI and V/AHMED. As background, (b)(3):10 provided a sworn statement on 14JUN06 in which he provided details of his involvement in the discovery and removal of V/AL TABI's body from Alfa Block, Cell A-12, JTF-GTMO, Camp Delta Detention Facility.

2. (S/NF) (b)(3) (b)(6) stated that when he responded to Alfa block, guard personnel were in the process of transporting V/AL ZAHRANI to the clinic. (b)(3):10 USC §130b, (b)(6), (b)(7)(C) walked the cell block. (b)(3) could not get a response from V/AL TABI in cell A-12. (b)(3):10 USC looked into cell A-12 from the outside and observed V/AL TABI hanging by his neck behind a blanket that had been tied to the cell wall. (b)(3):10 USC tore down the blanket and (b)(3):10 USC observed that V/AL TABI was hanging by a rope made from torn fabric. The rope was secured to the metal grating on the left wall. His feet were not touching the floor of the cell. V/AL TABI's eyes were wide open and his head and body were flush against the cell wall. V/AL TABI's hands were tied together but not tightly. He had torn material shaped like a mask over his head and what appeared to be similar material around his forehead. The mask was over the noose around his neck. (b)(3):10 USC grabbed V/AL TABI around his waist, which was about (b)(3):10 USC shoulder level. He raised V/AL TABI slightly to relieve the tension of the noose and at that time someone cut the noose. (b)(3):10 removed the mask and noose from V/AL TABI.

3. (U) (b)(3):10 USC could recall not additional pertinent information.

REPORTED BY: (b)(7)(C), SPECIAL AGENT
OFFICE: NCISRA GUANTANAMO BAY CUBA

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(b)(7)(C)

Page 1

LAST

(b)(7)(C)

V2 LNY

EXHIBIT (45)

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//23/MP//

INVESTIGATIVE ACTION

21JUL06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26NOV83/SAUDI ARABIA

RE-INTERVIEW OF (b)(3) (b)(6) (b)(7)(C)

1. (S/NF) On 20JUL06, (b)(3) (b)(6) (b)(7)(C) was re-interviewed relative to questions regarding towels and bindings on the faces, hands and feet of V/AL ZAHRANI, V/AHMED and V/AL TABI. As background, (b)(3) responded to the Detainee Acute Care Unit, JTF-GTMO shortly after V/AL ZAHRANI was brought there from his assigned cell: (b)(2) where guards had found him hanging. V/AL ZAHRANI was declared dead and (b)(3) was identified as the Nurse who cut the clothing from his body and prepared him for shipment to the Naval Hospital, GTMO.
2. (S/NF) (b)(3) stated that in preparing V/AL ZAHRANI's body for transport, he utilized a Shroud Kit to secure the Nasal Trumpet that medical personnel had inserted into V/AL ZAHRANI's airway. In addition to securing the Nasal Trumpet, another reason for this would have been to prevent seepage of body fluids. From the Shroud Kit, he completed the toe identification tag and tied that to the body. (b)(3) stated that he would, as a matter of procedure, have crossed V/AL ZAHRANI's legs together and secured them with the blue cloth and string also contained in the Shroud Kit. This would keep the legs from falling from the gurney during shipment. (b)(3) recalled that V/AL ZAHRANI was stiff with rigor and he would most likely not have secured the feet and hands if they were already bound, as was the case with V/AL ZAHRANI. (b)(3) stated that if the Shroud Kit was not available, he would have used the medical cloth material, Kerlix, to bind the feet and hands and not the type of cloth found on the victims.
3. (S/NF) (b)(3) stated that he also prepared the bodies of V/AL TABI and V/AHMED for shipment. He recalled wrapping material from the Shroud Kit to their heads, feet and hands. He also recalled using the string from the Shroud Kit to secure the cloth. (b)(3) again reiterated that he would only have used material from the Shroud Kit and would not have tied their feet or hands with the cloth similar to that tied to the feet of V/AL ZAHRANI and V/AHMED.
4. (S/NF) (b)(3) was shown the autopsy photograph that depicts a cloth binding around the abdomen of V/AHMED. The binding is next to V/AHMED's skin, however, previous photographs of the binding taken by (b)(7)(C) at the Detainee Clinic prior to the transport of V/AHMED to the Naval Hospital shows V/AHMED'S shirt in a raised position with the binding on the outside of the shirt, exhibit (116)

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(b)(7)(C)

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EXHIBIT (4)

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SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

to MPGT ROI/13JUL06 refers. (b)(3) stated there would have been no reason for medical personnel to put that binding around his abdomen. (b)(3) stated it was highly possible the binding could have been moved during medical attempts to revive V/AHMED.

REPORTED BY: (b)(7)(C) SPECIAL AGENT
OFFICE: NCISRA GUANTANAMO BAY, CUBA

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(b)(7)(C) V2 LNY

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//23B/MP//

INVESTIGATIVE ACTION

21JUL06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER/CIV
M/W/FNSA/N//25DEC83/

RE-INTERVIEW OF (b)(3) (b)(6) (b)(7)(C)

1. (S/NF) On 20JUL06, (b)(3) (b)(6) (b)(7)(C) was re-interviewed in order to obtain additional details regarding the deaths of V/AL ZAHRANI (ISN 093/Cell A8), and V/AHMED (ISN 693/Cell A12). As background, (b)(3) was interviewed on 10, 14, and 17JUN06 wherein he provided details of his involvement in the discovery and removal of the detainees from detainee cells A8 and A12. The purpose of this interview was gather additional details surrounding the positions of the victims bodies within their assigned cells when discovered by Joint Detention Group (JTG) guards.

2. (U) (b)(3) (b)(6) reiterated information previously reported in that he was not involved in the discovery of the detainees in cells A8 and A12. When he observed A8, A8 was already removed from his cell on the deck outside of his cell. A8 was lying on the deck with (b)(2) (b)(7) on his hands and feet (presumed by (b)(3) (b)(6) to have been placed on A8 by responding guards per SOP). (b)(3) stated he became immediately involved and assisted (b)(3) (b)(6) (b)(7)(C) by grabbing and controlling A8's hands in accordance with SOP. (b)(3) (b)(6) recalled being on the left side of the body while it was lying on the floor on it's back and observing one of the responders (unknown who) cutting the "noose" that was around the neck under the right ear. (b)(3) (b)(6) was of the opinion the surgical scissors from the (b)(2) kit were used to cut the ligature. (b)(3) (b)(6) did not observe any knots or any other details surrounding the ligature. In addition, (b)(3) stated he did not observe anything around A8's waist.

3. (U) As for Cell A5, (b)(3) reiterated that he did not observe the detainee or the removal of A5 from his assigned cell.

4. (U) (b)(3) (b)(6) recalled when attempting to locate the detainee within cell A12, he first observed the hands of the detainee from the rear cell window in the left corner (in front of the sink) between sheets in what appeared to be an upright position. (b)(3) stated all he could see through the window was the two hands together in close proximity in a 1" wide by 3" high opening in between the two sheets/blankets. He immediately called out for a (b)(2) and ran around from the back of the A cellblock to A12. Upon getting to the front of cell A12, (b)(3) (b)(6) (b)(7)(C) were waiting to enter the cell with (b)(3) (b)(6) unlocking the cell door. (b)(3) (b)(6) recalled being the second person entering the cell immediately behind

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(b)(7)(C)

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SUBJ: V/AL ZAHRANI, PRISONER/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

(b)(3) (b)(6) (b)(7)(C) Once entry was made, (b)(3) (b)(6) (b)(7)(C) who was first to reach the sheets, grabbed the outer sheet and pulled down at it. As the sheet did not come down, (b)(3) (b)(6) (b)(7)(C) reached over (b)(3) (b)(6) (b)(7)(C) and pulled the sheet down. (b)(3) (b)(6) (b)(7)(C) stated he froze for a fraction of a second upon observing the body. (b)(3) (b)(6) (b)(7)(C) immediately picked the body up and (b)(3) (b)(6) (b)(7)(C) grabbed the legs as the body fell. Both he and (b)(3) (b)(6) (b)(7)(C) guided the body to the floor. (b)(3) (b)(6) (b)(7)(C) believed that while (b)(3) (b)(6) (b)(7)(C) picked the body up, (b)(3) (b)(6) (b)(7)(C) cut the ligature with surgical scissors (that she had obtained from a (b)(2) (b)(6) (b)(7)(C) kit).

5. (U) (b)(3) (b)(6) (b)(7)(C) described A12's body as lifeless and the head of the detainee was hanging towards the bed with the head leaning forward (down less than 45 degrees and to the left) towards the bed/right rear corner. A12's back/torso appeared to be against the left wall. A12's feet were not in or on the sink. (b)(3) (b)(6) (b)(7)(C) stated he did not observe the position of A12's feet in relation to the floor.

6. (U) (b)(3) (b)(6) (b)(7)(C) observed what he described to be a white mask, possibly made from a white t-shirt, over A12's face from the bottom of his nose to under his chin. Once A12 was removed from the cell, the mask was pulled off from A12's face in order to provide 1st aide. In addition, A12's hands were tied together with "something white". (b)(3) (b)(6) (b)(7)(C) could not provide any additional information.

BIOGRAPHICAL DATA

EMPLOYMENT: JOINT DETENTION GROUP, JOINT TASK FORCE, NAVSTA

GUANATANAMO BAY, CUBA

SSN: (b)(3) (b)(6) (b)(7)(C)

DOB: (b)(3) (b)(6) (b)(7)(C)

POB: (b)(3) (b)(6) (b)(7)(C)

REPORTED BY: (b)(7)(C) Supervisory Special Agent

OFFICE: NCISRA Jacksonville, FL

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NCIS

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DELETED PAGE INFORMATION SHEET

withheld entirely at this location. One or more of the following explain this decision:

Pages contain information furnished by other government agency(ies). We will advise you of releasability of information following consultation with agency(ies).

Comments: Referred to the
Office of the Armed Forces
Medical Examiner

NCIS

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

//23B/MP//

INVESTIGATIVE ACTION

09AUG06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA

RESULTS OF SEIZURE

1. On 02AUG06, (b)(7)(C) SEFO Evidence Custodian, notified Reporting Agent (RA) that the evidence submitted to USACIL for examination in this investigation had been returned and that USACIL had also transferred hard copies of latent prints developed and lifted utilizing an Electrostatic Detection Device. Enclosure (A) pertains.
2. RA subsequently placed the five individual latent print lifts received from USACIL via USPS registered mail number RA390154765US into the NCIS evidence custody system under Evidence Custody Document (ECD) Log Number 326-06, a copy of which is appended as Enclosure (B).

ENCLOSURE (S)

- (A) USACIL Memorandum/28JUN06
- (B) ECD Log Number 326-06

REPORTED BY: (b)(7)(C)
OFFICE: NCISRA JACKSONVILLE, FL

EXHIBIT (5)

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(b)(7)(C)

V2 LNY

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CILA-FD

28 June 2006

MEMORANDUM FOR SPECIAL AGENT IN CHARGE

NCISRA Jacksonville, P.O. Box 58, Jacksonville, FL 32212

SUBJECT: EDD Evidence

Submitter Case Number: 10JUN06-MPGT-0031-7HNA

Laboratory Referral Number: 2006-CID131-1263

1. On 27 June 2006, examination(s) with the Electrostatic Detection Apparatus (EDD) were conducted to determine if indented writing was present on the following item:

Exhibit #	Item	Log #
1	A	009-06
2	D	010-06
3	B	011-06
4 (1-2)	D	013-06

2. We are required by our external laboratory accreditation organization to treat the EDD lifts created during this examination as "EDD Image Evidence."

3. As USACIL has no facility for permanent evidence storage, the "EDD Image Evidence" is being returned to you attached to the original item from which it was derived. A digital record of this EDD Image Evidence item is retained in the USACIL case file number cited above.

4. The EDD Image Evidence should be retained for possible use as evidence in legal proceedings. After adjudication is complete, it may be disposed of in accordance with your usual procedures without notifying USACIL.

5. POC on this matter is (b)(7)(C) DSN 797-7041, E-mail: marvin.reed@usacil.army.mil.

(b)(7)(C)

Forensic Document Examiner

ENCLOSURE (A)

U.S. NAVAL INVESTIGATIVE SERVICE EVIDENCE CUSTODY DOCUMENT

CODE MPJX	CONTROL 10JUN06-MPGT-0031-7HNA	LOG NUMBER 326-06	DATE AND TIME OF SEIZURE 02AUG06
NAME OF PERSON FROM WHOM PROPERTY SEIZED Reg Mail # RA39015476545		LOCATION WHERE PROPERTY SEIZED Bldg III, NAS Jax, FL	
TITLE VIA Zakrani, Yasser Tala / CIV			
ITEM A	QUANTITY (1)	DISPOSAL ACTION	DESCRIPTION OF ARTICLE - MODEL NUMBER, SERIAL NUMBER, IDENTIFYING MARKS, CONDITION, AND VALUE WHEN APPROPRIATE. One yellow envelope containing (5) individually identified Electric static Detection Device lifts pertaining to USACIL case # 06-1263///
			/// Last Item ///

(b)(7)(C)	(b)(7)(C)
-----------	-----------

CHAIN OF CUSTODY

ITEM	DATE & TIME	RELEASED BY	RECEIVED BY	PURPOSE
A	02AUG06 1607	NAME (b)(7)(C)	NAME Evid Vault	(custody)
		ORGANIZATION NCTS-MPJX	ORGANIZATION MPJX	
		SIGNATURE (b)(7)(C)	SIGNATURE	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	
		NAME	NAME	
		ORGANIZATION	ORGANIZATION	
		SIGNATURE	SIGNATURE	

NIS FORM 5520/118 (NEW 10/72)

CHAIN OF CUSTODY CONTINUED ON REVERSE

0106-LF-800-8820

ENCLOSURE (B)

NCIS

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

//23B/MP//

INVESTIGATIVE ACTION

09AUG06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA

RESULTS OF EXAMINATION OF EVIDENCE BY USACIL LATENT PRINT BRANCH

1. On 21JUN06, Reporting Agent(RA) submitted items, previously seized by NCIS, with potential evidentiary value to the US Army Criminal Investigation Laboratory (USACIL) for examination. Participating Agent (PA) (b)(7)(C) prepared the Forensic Examination Request, which is appended as Enclosure (A).
2. On 02AUG06, USACIL returned the submitted items and provided the results of the examinations performed by the Latent Print Branch, which are appended as Enclosure (B).
3. RA reviewed the findings provided by the USACIL Latent Print Branch and made the following observations:

a) Item A, Evidence Custody Document (ECD) Log # 027-06, a handwritten document, recovered from the personal belongings of detainee ISN (Internee Serial Number): (b)(2) had one of V/AHMED's latent fingerprints on it. Detainee ISN: (b)(2) had been occupying Cell (b)(2) which shares a common metal mesh wall with V/AHMED's cell. This was the only latent fingerprint on this item suitable for identification. This document was previously translated, as memorialized in Reference (A), Exhibit (101), Enclosure (F); the author signed his name as "Ali Abdullah Ahman Naser AL SULLAMI".

b) Item A, ECD Log # 028-06, a handwritten document, recovered from the personal belongings of detainee ISN: (b)(2) had seven of V/AHMED's latent fingerprints on it. Detainee ISN: (b)(2) had been occupying Cell (b)(2) which is on the other side of the Alpha Cell Block and shares no common walls (immediate or removed) with any of the victim's cells. There were also six additional latent fingerprints on this item suitable for identification, but none were those of the other two decedents (V/AL ZAHRANI, V/AL TABI). Additionally, there was one partial fingerprint and two palm prints suitable for identification. These remaining latent prints could be from the any of the three decedents but were made by those areas of the hands that were not captured in the record fingerprints submitted.

c) Item B, ECD Log # 028-06, a handwritten document, recovered from the personal belongings of detainee ISN: (b)(2) had seven of V/AL ZAHRANI's latent fingerprints on it. Detainee ISN: (b)(2) had been occupying Cell (b)(2) (which is on the other side of the Alpha Cell

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SUBJ: V/AL ZAHRANI, MUSSER TALAL/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

Block and shares no common walls (immediate or removed) with any of the decedent's cells. There were also four other latent fingerprints on this item suitable for identification, but none were those of the other two decedents (V/AHMED, V/AL TABI). The three remaining latent fingerprints on this item may be from the any of the three decedents but were made by those areas of the hands that were not captured in the record fingerprints submitted for comparison.

d) Item C, ECD Log # 028-06, a handwritten document recovered from the personal belongings of detainee ISN: (b)(2) had one of V/AL ZAHRANI's latent fingerprints on it. Detainee ISN: (b)(2) had been occupying Cell (b)(2) (which is on the other side of the Alpha Cell Block and shares no common walls (immediate or removed) with any of the decedent's cells. There were also four other latent fingerprint on this item suitable for identification, but none were those of the other two decedents (V/AHMED, V/AL TABI).

e) Item A, ECD Log # 019-06, two latent print lifts from the sink in cell A-8, were suitable for identification (possible palm or toe prints) but were made by those areas of the hands and feet that were not captured in the record finger and footprints submitted for comparison.

f) Item A, ECD Log # 019-06, three latent print lifts from the sink in cell A-5, were suitable for identification (possible palm or toe prints) but were made by those areas of the hands and feet that were not captured in the record finger and footprints submitted for comparison.

g) Item A, ECD Log # 009-06, a handwritten note found on V/AL ZAHRANI's person, had three latent fingerprints on it suitable for submission to the Automated Fingerprint Identification Fingerprint System (AFIS). USACIL will notify NCIS if any matches are found. Also, four other latent fingerprints on this item were found but were not suitable for submission to AFIS and were not those of any of the three decedents (V/AL ZAHRANI, V/AHMED, V/AL TABI). The seizure and translation of this document was previously memorialized in Reference (A), Exhibit (94), Enclosure (A).

4. The documents listed supra in paragraphs (b), (c) and (d) were both seized and translated as previously detailed in Reference (A), Exhibit (101). At the time of seizure, the translator at the death scene, who was screening handwritten documents, as directed by RA, alerted RA to three separate, multi-page, handwritten documents in cell (b)(2) which appeared to be related to the deaths of V/AL ZAHRANI, V/AHMED, and V/AL TABI. Therefore, RA seized the documents as three separate items (A, B, and C) and recorded them on an ECD as such. Subsequently, RA submitted photocopies of the documents for translation. RA received formal translations of these documents and found that the translators had determined there were actually five separate documents, the translations of which are appended as Enclosures (B) through (E) of Exhibit (101). However, RA submitted the documents to USACIL under their original designations as Items (A), (B) and (C) from ECD Log # 028-06. Due to the discrepancy

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

between the number of separate documents on the ECD (three) vice the number of separate documents identified by the translators (five), it is not possible to precisely cross-reference the author's names with the latent fingerprints on the documents. An Arab linguist will have to view the USACIL latent print examination digital images in order to precisely cross-reference the author's names with the latent fingerprints on the documents. However, the authors of the documents submitted under ECD Log # 028-06 signed the following names:

- (a) Ali Abdullah Ahman Naser AL ZAHRANI
- (b) Yasir Talal Abdullah AL ZAHRANI
- (c) Yassir Khillal ABDULLAH
- (d) Yassir Khillal ABDULLAH
- (e) Yassir Khillal Abdullah HIRATTI

5. USACIL Questioned Documents Branch findings remain pending and will be reported via separate correspondence at a later date.

PARTICIPANT(S)

(b)(7)(C) Special Agent, Forensic Consultant Unit, NCISHQ

ENCLOSURE(S)

- (A) Forensic Examination Request/19JUN06
- (B) USACIL Memorandum/21JUL06

REPORTED BY:

(b)(7)(C)

OFFICE:

NCISRA JACKSONVILLE, FL

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(b)(7)(C)

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**NAVY CRIMINAL INVESTIGATIVE SERVICE
FORENSIC EXAMINATION REQUEST**

To : USACIL
4930 North 31st Street
Forest Park, GA 30297-5025

From : NCISRA Jacksonville
(Address) P.O. Box 58
Jacksonville, FL 32212

Attn : Latent Prints/Questioned Documents

Brief description of case facts which would pertain to the requested examination and which may assist laboratory personnel in processing the evidence. Include date and place of crime.

See attachment.

Evidence Submitted:

ECD No.	Item	Item Description
		See attachment.

Examinations and/or comparisons requested (attach separate sheet if additional space needed):

See attachment.

Type of Offense:	Death
Suspect(s)	Victim(s)
	V/AL ZAHRANI, YASSER TALAL
	V/AL TABI, MANA SHAMAN ALLABARD
	V/AHMED, ALI ABDULLAH

One copy of Evidence Custody Document enclosed?

☒ Yes ☐ No

Other evidence previously submitted for this case?

☐ Yes ☒ No

If Yes, list Laboratory Report No.:

Agency Case Control Number: 10JUN06-MPGT-0031-7HNA

Investigator's Name: (b)(7)(C)

E-Mail Address

(b)(7)(C)

Office Telephone (Comm/DSN): +011-5399-4140

Fax Number : +011-5399-4130

Disposition of evidence after analysis/comparison:

☒ Return ☐ Retain at RFL ☐ Forward to another field element

Considered priority of requested examination(s): ☐ Routine ☐ As soon as possible ☒ Urgent*

*** IF URGENT, SUPERVISOR'S EXPLANATION AND SIGNATURE REQUIRED ***

This case is considered high-profile with significant interest at the seat of government level. Respectfully request expeditious handling.

(b)(7)(C)

Signature of Supervisor

The above-mentioned evidence has not been subjected to examination by other experts for the prosecution in the same scientific field as requested herein.

(b)(7)(C)

Date of Request:

Signature of Requestor

V/AL ZAHRANI, YASSER TALAL
V/AL TABI, MANA SHAMAN ALLABARD
V/AHMED, ALI ABDULLAH
10JUN06-MPGT-0031-7HNA

Brief Summary of Events

On 10JUN06, between 0025 and 0043, three detainees were found hanging in their assigned cells within Alpha Block, Camp One, Camp Delta, Guantanamo Bay, Cuba. Members of the Joint Detention Group guard force found the detainees within their locked cells, numbered A-5, A-8, and A-12. Details of the three scenes were similar, suggesting the detainees planned the incident prior to its execution.

Evidence Submitted

Log # 009-06, Item (A)
Log # 010-06, Item (D)
Log # 011-06, Item (B)
Log # 013-06, Item (D)
Log # 016-06, Item (A)
Log # 017-06, Item (E)
Log # 018-06, Item (E)
Log # 019-06, Item (A)
Log # 020-06, Item (A)
Log # 023-06, Item (A)
Log # 025-06, Item (A)
Log # 027-06, Item (A)
Log # 028-06, Items (A), (B) and (C)

Examinations Requested

Latent Prints

1. Compare the latent prints under Log # 019-06, Item (A) and Log # 020-06, Item (A) to the known fingerprints and footprints of V/AL ZAHRANI and V/AHMED.
2. Examine the following items for the presence of latent prints. If found, compare to the known fingerprints of V/AL ZAHRANI, V/AHMED, and V/AL TABI, which are listed above. Note that Log # 027-06, Item (A) and Log # 028-06, Items (A)-(C) were found in two other cells, but are believed to have been authored by one of the victims. These cells belong to detainees

(b)(6)

Exclusionary fingerprints for these individuals are available through the Federal Bureau of Investigation.

Log # 009-06, Item (A)
Log # 010-06, Item (D)
Log # 011-06, Item (B)
Log # 013-06, Item (D)
Log # 027-06, Item (A)

Log # 028-06, Items (A), (B), and (C)

Questioned Documents

1. Examine the following items for the presence of indented writing. If found, photograph the text for translation purposes.

Log # 009-06, Item (A)

Log # 010-06, Item (D)

Log # 011-06, Item (B)

Log # 013-06, Item (D)

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DEPARTMENT OF THE ARMY
US ARMY CRIMINAL INVESTIGATION LABORATORY
4930 N 31ST STREET
FOREST PARK, GA 30297-5205

CILA-LP

21 July 2006

MEMORANDUM FOR SPECIAL AGENT IN CHARGE, NAVAL CRIMINAL
INVESTIGATIVE SERVICE, RESIDENT AGENCY JACKSONVILLE, POST OFFICE
BOX 58, NAS JACKSONVILLE, FL 32212

SUBJECT: Latent Print Branch - Final Report
USACIL Case Number 2006-CID131-1263
Submitter Case Number 10JUN06-MPGT-0031-7HNA

EXHIBITS:

- 1 - Sheet of bond paper bearing handwritten entries in what appears to be a foreign language (Item A, Log 009-06).
- 2 - Sheet of bond paper bearing handwritten entries in what appears to be a foreign language (Item D, Log 010-06)
- 3 - Sheet of bond paper bearing handwritten entries in what appears to be a foreign language (Item B, Log 011-06).
- 4(1-2) - Two sheets of bond paper (Item D, Log 013-06).
- 5 - Record post mortem fingerprints of AL TABI_ISN 588 (Item A, Log 016-06).
- 6 - Record post mortem fingerprints of AHMED_INS 693 (Item E, Log 017-06).
- 7 - Record post mortem fingerprints of AL ZAHRANI_INS 093 (Item E, Log 018-06).
- 8(1-2) - Two lifts (Item A, Log 019-06).
- 9(1-3) - Three lifts (Item A, Log 020-06).
- 10 - Post mortem record footprints of AL ZAHRANI (Item A, Log 023-06).
- 11 - Post mortem record footprints of AHMED (Item A, Log 025-06).
- 12 - Sheet of lined notebook paper bearing handwritten entries in what appears to be a foreign language (Item A, Log 027-06).



AN ASCLD/LAB ACCREDITED LABORATORY (SINCE 1985)

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ENCLOSURE (8)

NCIS

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SUBJECT: Latent Print Branch - Final Report
USACIL Case Number 2006-CID131-1263
Submitter Case Number 10JUN06-MPGT-0031-7HNA

- 13(1-10) - Two sheets of lined notebook paper bearing handwritten entries in what appears to be a foreign language and eight sheets of bond paper bearing handwritten entries in what appears to be a foreign language (Item A, Log 028-06).
- 14(1-2) - Two sheets of lined notebook paper bearing handwritten entries in what appears to be a foreign language (Item B, Log 028-06).
- 15(1-4) - Four sheets of bond paper bearing handwritten entries in what appears to be a foreign language. (Item C. Log 028-06).
- 16 - Machine reproduction record fingerprints of MANEY, aka AL TABI, Maha; SHAMAN, Ali (FBI # 935704VB6) obtained from CJIS. Same fingerprints as Ex 5 (Al TABI).
- 17 - Machine reproduction record fingerprints of AL ZAHRANI (FBI # 377000WB1) obtained from CJIS. Same fingerprints as Ex 7 (Al ZAHRANI).
- 18 - Machine reproduction record fingerprints of AHMED, aka NASSER (FBI # 138189WB7) obtained from CJIS. Same fingerprints as Ex 6 (AHMED).

FINDINGS:

1. Examination of Exhibits 1 through 4 and 12 through 15 revealed seven latent fingerprints on Exhibit 1, one latent fingerprint on Exhibit 12, thirteen latent fingerprints, two latent palm prints and one latent partial (finger or palm) print on Exhibit 13, fourteen latent fingerprints on Exhibit 14, and five latent fingerprints on Exhibit 15 suitable for identification.
2. AHMED made the latent fingerprint on Exhibit 12 and seven of the latent fingerprints on Exhibit 13.
3. AL ZAHRANI made seven of the latent fingerprints on Exhibit 14 and one of the latent fingerprints on Exhibit 15.

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SUBJECT: Latent Print Branch - Final Report
USACIL Case Number 2006-CID131-1263
Submitter Case Number 10JUN06-MPGT-0031-7HNA

4. None of the individuals for whom record fingerprints were submitted or obtained made the latent fingerprints on Exhibit 1, the remaining latent fingerprints on Exhibit 13, four of the remaining latent fingerprints on Exhibit 14, and the remaining latent fingerprints on Exhibit 15.

5. Comparison of the record fingerprints of MANEY (aka AL TABI), AHMED, and AL ZAHRANI with three of the latent fingerprints on 14 was made insofar as possible without effecting an identification. Rolled record fingertips were not submitted.

6. Since no record palm prints were submitted, no comparisons were made with the two latent palm prints and one partial latent print on Exhibit 13.

7. Examination of Exhibits 8 and 9 revealed one latent friction ridge impression (possible finger, palm, foot or toe impression) on Exhibit 8 and one latent friction ridge impression (possible palm or foot impression) on Exhibit 9.

8. Comparison of the record footprints AHMED and AL ZAHRANI with latent friction ridge impression on Exhibits 8 and 9 was made insofar as possible without effecting an identification. Although the record footprints AHMED and AL ZAHRANI were of good quality, they lacked detail in areas needed to effect an identification or elimination

9. Three of the latent fingerprints from were Exhibit 1 suitable for Automated Fingerprint Identification System (AFIS) search and were entered into AFIS. Do not keep this case open pending AFIS results. USACIL will generate a laboratory report if the fingerprint is ever identified.

10. Images of the latent prints remain on file.

11. Two original reports have been produced. These reports were completed at or near the time of the forensic examination(s) and prepared in the ordinary course of business by the undersigned. These reports were made by the regularly conducted activity as a regular practice of the United States Army Criminal

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SUBJECT: Latent Print Branch - Final Report
USACIL Case Number 2006-CID131-1263
Submitter Case Number 10JUN06-MPGT-0031-7HNA

Investigation Laboratory. Point of contact is the Evidence Processing Branch, DSN 797-7082/7109/7110, Commercial (404) 469-7082/7109/7110, Fax DSN 797-4615, or Email: usacil@usacil.army.mil.

(b)(7)(C)



Latent Print Examiner

//23B/MP/JX/ADLANT//

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (OPEN)

11JUN06

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA (b)(7)(C) SPECIAL AGENT

NARRATIVE

1. This is a reactive investigation initiated to determine cause and manner of death of V/AL ZAHRANI.

2. Investigative was initiated on 10Jun06, subsequent to the receipt of information from the Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO) Staff Judge Advocate (SJA) of the death of V/AL ZAHRANI, a detainee, within JTF-GTMO Camp Delta. V/AL ZAHRANI was found hanging inside his cell, within Alpha Block, Camp Delta, at approximately 0039, on 10Jun06, by Joint Detention Group (JDG) personnel. V/AL ZAHRANI was cut down by JDG personnel, placed on a backboard and transported to the Detention (DET) Clinic inside Camp Delta. DET Clinic medical personnel assessed V/AL ZAHRANI and initiated Cardio Pulmonary Resuscitation (CPR). A Naval Hospital Guantanamo Bay, Cuba (NAVHOSP GTMO) ambulance responded to the DET Clinic and transported V/AL ZAHRANI to the NAVHOSP. Upon initiation CPR continued until V/AL ZAHRANI was pronounced dead at 0150. During a search of the person of V/AL ZAHRANI, a note written in Arabic was discovered. All movement of V/AL ZAHRANI from the death scene occurred prior to NCIS arrival on scene. Investigation continues.

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//23B/MP//

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (CHANGE)

17JUN06

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO
V/AL TABI, MANA SHAMAN ALLABARD/CIV
M/W/FNSA/N//01JAN76/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO
V/AHMED, ALI ABDULLA H/CIV
M/W/FNYM/N//01AUG79/YEMEN
SUPP: DETAINEE BEING HELD AT JTF-GTMO

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA (b)(7)(C) SPECIAL AGENT

REFERENCE(S)

- (A) NCISRU GUANTANAMO BAY, CUBA ROI (OPEN) /11JUN06
- (B) NCIS CASE FILE: V/AL TABI, MANA SHAMAN ALLABARD/CIV
CCN: 10JUN06-MPGT-0032-7HNA
- (C) NCIS CASE FILE: V/AHMED, ALI ABDULLA H/CIV
CCN: 10JUN06-MPGT-0033-7HNA

NARRATIVE

1. Subsequent to the transmission of reference (A), (B) and (C) it was determined by NCISHQ that it would be better to have only one investigation for the three deaths that occurred at Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO), Detention Facility. NCISHQ directed references (B) and (C) be closed and the victims from those investigations be added as additional victims to reference (A).

ACTION

DIST: Note addition of two additional victim titles.

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INFO: MPMP

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U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

25JUL06

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV

M/W/FNSA/N//26DEC83/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTM/ISN: 93/CELL A-8

V/AL TABI, MANA SHAMAN ALLABARD/CIV

M/W/FNSA/N//01JAN76/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTMO/ISN: 588/CELL A-12

V/AHMED, ALI ABDULLA H/CIV

M/W/FNYM/N//01AUG79/YEMEN

SUPP: DETAINEE BEING HELD AT JTF-GMTO/ISN: 693/CELL A-5

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA, (b)(7)(C) SPECIAL AGENT

REFERENCE(S)

(A) NCISRU Guantanamo Bay ROI (Interim)/20Jun06 (Contains Exhibits 1-114)

EXHIBIT(S)

- (115) (S/NF) IA: Photographic Coverage of Death Scenes/ 17Jun06...(Copy All)
- (116) (S/NF) IA: Receipt of CITF Form 40 Titled "Preliminary Examination of ISN 693's Body"/23Jun06...(Copy All)
- (117) (S/NF) IA: Receipt of List of Detainee Suicide Attempts/ 14Jul06...(Copy All)
- (118) (U) IA: Results of Interview (b)(3) (b)(6) (b)(7)(C) 19Jun06...(Copy All)
- (119) (U) IA: Second Interview of (b)(3) (b)(6) (b)(7)(C) 20Jun06...(Copy All)
- (120) (U) IA: Review of SOP for Camp Delta, JTF-GTMO/22Jun06...(Copy All)
- (121) (S/NF) IA: Overheard Conversation of ISN 682/03Jul06...(Copy All)
- (122) (S/NF) IA: Results of Efforts to Identify (b)(6) 14Jul06...Copy All)
- (123) (S/NF) IA: Results of Efforts to Identify Names Mentioned in IA/ 05Jul06...(Copy All)
- (124) (U) Sworn Statement of (b)(3) (b)(6) 11Jul06...(Copy All)
- (125) (U) IA: Interview of (b)(3) (b)(6) (b)(7)(C) 11Jul06...(Copy All)
- (126) (S/NF) IA: Autopsy Photographs of V/AL ZAHRANI taken on 10Jun06/ 30Jun06...(Copy All)
- (127) (S/NF) IA: Autopsy Photographs taken of V/AL TABI taken on 11Jun06/30Jun06...(Copy All)
- (128) (S/NF) IA: Autopsy Photographs of V/AHMED on 11Jun06/ 30Jun06...(Copy All)
- (129) (S/NF) Request for Assistance/undated...(Copy All)
- (130) (S) Amended Request for Assistance/13Jun06...(Copy All)
- (131) (U) Amended Request for Assistance/17Jun06...(Copy All)

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10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

- (132) (U) Request for Urgent Processing of Evidence in NCIS Case/19Jun06...(Copy All)
- (133) (U) Relinquished Control of Alpha Block/19Jun06...(Copy All)
- (134) (U) Air Lift Support/19Jun06...(Copy All)
- (135) (U) Translator Support/19Jun06...(Copy All)
- (136) (U) Request for Assistance/13Jun06...(Copy All)
- (137) (U) Request for Assistance/15Jun06...(Copy All)
- (138) (S) JTF GTMO Power Point Briefing/10Jun06...(Copy All)
- (139) (U) Security Classification Guide/21Sep05...(Copy All)
- (140) (S) E-mail w/ Subject: Proposed Final Placement for Hunger Strikers/19Jan06...(Copy All)
- (141) (U) Request for NCIS Investigation into Circumstance Surrounding the Detainee Suicides on 9/10 June 2006/03Jul06...(Copy All)
- (142) (U) Declaration of (b)(7)(C) undated...(Copy All)
- (143) (S/NF) Detainee Spreadsheet/undated...(Copy All)

EXECUTIVE SUMMARY

1. (U) Investigation was initiated on 10Jun06, subsequent to the receipt of information from the Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO) Staff Judge Advocate (SJA) of the death of three detainees, within JTF-GTMO Camp Delta. The three detainees were identified as V/AL ZAHRANI (ISN 093), V/AL TABI (ISN 588), and V/AHMED (ISN 693). V/AL ZAHRANI was found hanging by the neck inside his cell, in Alpha Block, Camp Delta, by Joint Detention Group (JDG) personnel. Subsequently, JDG personnel discovered V/AL TABI and V/AHMED also hanging by their necks inside their cells, in Alpha Block. All three victims were taken down and immediately transported to the Detention (DET) Clinic, inside Camp Delta. V/AL ZAHRANI was later transported via ambulance to the Naval Hospital Guantanamo Bay, Cuba (NAVHOSP GTMO). V/AL ZAHRANI was pronounced dead at NAVHOSP GTMO. V/AL TABI and V/AHMED were both pronounced dead at the DET Clinic. Contact was made with the JDG Commander to get an overview of the situation. All three bodies were moved prior to NCIS arrival on scene. The death scenes were secured. All detainees were removed from Alpha Block and the entire Block was secured. Interviews were conducted with all JTF-GTMO personnel who had any dealings with the response and treatment of the three detainees. Apparent suicide notes were discovered in the clothing of all three victims. Interviews were conducted with all detainees assigned to Alpha Block. Death Scene examinations were conducted of the three cells where the victims were found hanging. Armed Forces Institute of Pathology (AFIP) personnel conducted autopsies at NAVHOSP GTMO, on all three victims.

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10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

NARRATIVE

1. (U) This is a reactive investigation initiated to determine cause and manner of death of V/AL ZAHRANI, V/AL TABI and V/AHMED. No determination of a specific statute can be made at this time.

2. (U) On 10JUN06, between 1730 and 1945, PA (b)(7)(C) directed (b)(3) (b)(6) (b)(7)(C), in photographic coverage of Camp Delta, Alpha Block, Cells Five, Eight and Twelve. Exhibit (115) is the photographic coverage of the death scenes.

3. (U) On 10Jun06, PA (b)(6) responded to the DET Clinic and conducted a preliminary examination of the bodies of V/AL TABI and V/AHMED. (b)(6) seized items of evidence and conducted photographic coverage of the bodies. The report regarding the examination of V/AHMED provided by PA (b)(6) with Enclosures is appended as Exhibit (116).

4. (U) On 13Jun06, (b)(3):10 USC §130b,(b)(6) Staff Judge Advocate, JTF-GTMO, provided a listing of the previous 44 suicide attempts, to include these three deaths, which had occurred at JTF-GTMO, Exhibit (117) pertains.

5. (U) On 19Jun06 and 20Jun06, PA (b)(7)(C) conducted separate interviews of (b)(3) (b)(6) (b)(7)(C) who on 10Jun06 had responded to the main entrance of Camp 1 where he stood and listened to the chanting going on in Alpha Block, by the detainees. At the time (b)(6) only thought the detainees were chanting as part of their religious activities, Exhibit (118-119) pertains.

6. (U) Between 17-22Jun06, PA (b)(7)(C) reviewed the Standard Operating Procedures (SOP) for Camp Delta for sections that were potentially relevant to the three detainee deaths, which occurred on Alpha Block, Camp 1, Camp Delta. The SOP delineates policy, procedures, and responsibilities for the security, administration and treatment of detainees in custody at Camp Delta. In addition to the SOP manual, PA (b)(2) also reviewed guard mount messages written subsequent to the publication of the SOP manual for Camp Delta. Guard mount messages supercede the SOP manual and may present changes to the SOP, provide clarification of certain SOPs, or modify an existing practice due to changing circumstances. Guard mount messages are disseminated almost daily, and are published via the Detainee Information System (DIMS) and briefed to guards at the beginning of each shift, Exhibit (120) provides details.

7. (S/NF) On 21Jun06, (b)(6) was overheard talking about the suicides on Alpha Block and made comments about methods and time of the suicides, Exhibit (121) pertains.

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10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

8. (S/NF) On 29-30Jun06, efforts were made to identify the names found on documents previously reported in Reference (A), Exhibits (95), (101), (104), and (105). The document found in cell A-8, referenced in Exhibits (95), (101), (104), and (105), was allegedly authored by (b)(6). Efforts to identify this person led to two detainees, ISN (b)(2) and ISN (b)(6) who had the name (b)(6). Exhibit (122) pertains. The documents found in cell (b)(2) (Exhibit 101 pertains) had names of (b)(6).

(b)(6)
(b)(6)
(b)(6) were identified as having a similar name, Exhibit (123) pertains.

9. (S/NF) On 11Jul06, PA (b)(7)(C) interviewed (b)(3) (b)(6) (b)(7)(C) (b)(3) (b)(6) who provided details regarding ISN (b)(6) approaching him on 10Jun06 to ask questions about the suicides that had occurred in Alpha Block only hours earlier. (b)(3) provided a sworn statement, which is appended as Exhibit (124). ISN (b)(6) interview regarding this incident was previously reported in reference (A), Exhibit (92).

10. (U) On 11Jul06, PA (b)(7)(C) interviewed (b)(3) (b)(6) (b)(7)(C) (b)(3) JTF-GTMO, who provided information regarding the discovery of the "suicide note" on the person of V/AL ZAHRANI, while at the Detainee Acute Care Unit (DACU). (b)(3) (b)(6) explained he found the note in an inner shirt pocket on the body of V/AL ZAHRANI and passed it to (b)(3) (b)(3) (b)(6) JTF-GTMO, who placed it in a plastic bag, Exhibit (125) pertains.

11. (U) On 10Jun06, autopsies were conducted by AFIP on V/ZAHRANI, V/AL TABI, and V/AHMED at Naval Hospital Guantanamo Bay. Autopsy photographs were taken by (b)(6) (b)(7)(C) Medical Photographer, AFIP, Exhibits (126) through (128) pertain.

12. (U) During the course of this investigation, several Requests for Assistance were submitted to Rear Admiral Harry HARRIS, Commander, Joint Task Force Guantanamo Bay (JTF GTM)). Exhibits (129) through (135) document those requests. Exhibits (136) and (137), document the responses from JTF GTMO. Exhibits (138) through (140) are documents received as a result of the Requests for Assistance. Of note, Exhibit (140) is a copy of an e-mail with a subject line of "Proposed Final placement for hunger strikers". This e-mail is not marked with any security classifications. However, it is being handled as Secret until a security classification review can be conducted.

13. (U) On 3Jul06, Rear Admiral HARRIS requested an additional NCIS investigation be conducted into the circumstances surrounding the detainee deaths, Exhibit (141) pertains. In furtherance of this

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NCIS
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10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

request. and at the request of the Department of Justice, (b)(7)(C)
(b)(7)(C) NCIS Special Agent in Charge (SAC), South East Field Office
(SEFO) Mayport, FL, provided a Declaration explaining investigative
efforts, Exhibit (142) pertains.

14. (S/NF) A spreadsheet was created, as an investigative tool, to
document the ISN, name, cell #, block, and Camp for each detainee at
Camp Delta at the alleged time of the detainees' deaths, Exhibit (144)
pertains.

15. (U) Investigation is pending receipt of the final autopsy report
and any additional investigative requirements.

PARTICIPANT(S)

(b)(7)(C) Supervisory Special Agent, NCISRU, Guantanamo Bay, Cuba
(b)(7)(C) Special Agent, NCISFO Washington DC
(b)(7)(C) Special Agent, NCISFO Washington, DC
(b)(7)(C) Special Agent, NCISRU Guantanamo Bay, Cuba
Special Agent, NCISRU Guantanamo Bay, Cuba
(b)(7)(C) Analyst, SEFO Mayport, FL

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

17JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//20DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

PHOTOGRAPHIC COVERAGE OF DEATH SCENES

1. (U) On 10JUN06 at 1730 hours, Combat Camera Photographer, (b)(3) (b)(3) (b)(6) (b)(7)(C) arrived at Camp Delta, Camp One, Cell Block Alpha to assist the Southeast Field Office (SEFO) Major Case Response Team (MCRT). Participating Agent (PA) (b)(7)(C) directed (b)(3) (b)(6) to photograph the exterior of Cell Block Alpha. Exterior photography was completed at 1745, Enclosure (1) pertains.
2. (U) At 1755, Reporting Agent (RA) directed (b)(7)(C) to begin photographing the interior of Cell Block Alpha, Enclosure (2) pertains.
3. (U) At 1805, RA directed (b)(7)(C) to begin photographing the interior of Cell Five of Cell Block Alpha, Enclosure (3) pertains. Photography of Cell Five was completed at 1820.
4. (U) At 1825, RA directed (b)(3) (b)(6) to begin photographing the interior of Cell Eight, Enclosure (4) pertains. Photography of Cell Eight was completed at 1845.
5. (U) At 1910, RA directed (b)(3) (b)(6) to begin photographing the interior of Cell Twelve, Enclosure (5) pertains. Photography of Cell Twelve was completed at 1945.

ENCLOSURE(S)

- (A) (S/NF) Photo Log and Photos of Exterior of Camp Delta, Camp One, Alpha Block
- (B) (S/NF) Photo Log and Photos of Interior of Camp Delta, Camp One, Alpha Block
- (C) (S/NF) Photo Log and Photos of Cell Five, Alpha Block, Camp One, Camp Delta
- (D) (S/NF) Photo Log and Photos of Cell Eight, Alpha Block, Camp One, Camp Delta
- (E) (S/NF) Photo Log and Photos of Cell Twelve, Alpha Block, Camp One, Camp Delta

PARTICIPATING AGENT(S)

(b)(7)(C), Special Agent, SEFO, Mayport, FL

REPORTED BY: (b)(7)(C) SPECIAL AGENT
OFFICE: NCISRU GUATANAMO, CUBA

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

13JUL06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RECEIPT OF CITF FORM 40 TITLED "PRELIMINARY EXAMINATION OF ISN 693'S BODY"

1. (U) On 16JUN06, Reporting Agent received the Criminal Investigation Task Force (CITF) Report of Investigative Activity, otherwise known as a "Form 40." The report was authored by (b)(7)(C) (b)(7)(C) Special Agent, NCIS, who is currently assigned to the CITF, Guantanamo Bay, Cuba. The report is titled "Preliminary Examination of ISN 693's Body" and includes 2 enclosures. As documented in the report, the following evidence was seized and subsequently entered into the NCISRU Guantanamo Bay evidence custody system under log #011-06.

Item	Description
A	One hemostat with one white cloth
B	One 8½ x 11 sheet of paper with Arabic writing

2. (U) A photocopy of Log #011-06, Item B is attached as one of the enclosures of the CITF report, with the translation included in the body of the report.

ENCLOSURE

(A) ~~(S/NF)~~ CITF Report of Investigative Activity (Form 40)

REPORTED BY: (b)(7)(C) Special Agent
OFFICE: NCISRU Guantanamo Bay, Cuba

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

14JUL06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RECEIPT OF LIST OF DETAINEE SUICIDE ATTEMPTS

1. (S/NF) On 13Jun06, (b)(3):10 USC §130b,(b)(6) provided NCISRU Guantanamo Bay with a list of the previous forty-four (44) suicide attempts, which had occurred at Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO), Detention Camps prior to 10Jun06, Enclosure (A).

ENCLOSURE

(A) (S/NF) JTF-GTMO Suicide Attempts/10Jun06

REPORTED BY: (b)(7)(C) Special Agent
OFFICE: NCISRU Guantanamo Bay, Cuba

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INFORMATION SHEET
Encl (A) to
Exhibit (17)

Deleted under exemption(s)

**Documents originated with other government agency(ies).
Referred for review and direct response to you.**

Comments:

Referred to SOUTHCOM

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

19JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE HELD AT JTF-GTMO

RESULTS OF INTERVIEW: (b)(3) (b)(6) (b)(7)(C)

1. (U) On 19JUN06, reporting agent (RA) interviewed (b)(3) (b)(6) (b)(7)(C) (b)(3) (b)(6) civilian, to obtain information regarding three suicides by hanging, which occurred at Camp Delta, Guantanamo Bay, Cuba, during the early morning hours of 10JUN06. (b)(3) (b)(6) advised that he was not present at Camp Delta when these suicides took place. (b)(3) (b)(6) stated that he had no information to provide. Details on this interview are provided below.

2. (U) RA met with (b)(3) in an interview room at NCISRA Guantanamo Bay, Cuba. (b)(3) advised that he works as an Arabic linguist in the cellblocks at Camp Delta. (b)(3) is a civilian employee of SOS, which is a division of Titan Corporation. During the early morning hours of 10JUN06, when the hangings took place, (b)(3) (b)(6) was at his residence, (b)(3) (b)(6) (b)(7)(C) onboard Naval Station, Guantanamo Bay. (b)(3) (b)(6) learned of the hangings on the evening of 10JUN06, when he came to the linguists' trailer at Camp Delta. (b)(3) (b)(6) learned of the hangings by talking to people at the trailer. (b)(7)(C) stated he had no further information to provide.

3. (U) (b)(3) (b)(6) (b)(7)(C) is available to answer additional questions upon request.

BIOGRAPHICAL DATA

NAME: (b)(3) (b)(6) (b)(7)(C)

STATUS: Civilian

CITIZENSHIP (b)(3) (b)(6)

DOB: (b)(3) (b)(6) (b)(7)(C)

POB:

SSN:

Title: Linguist

Employer: SOS (a division of Titan Corporation)

Residence: (b)(3) (b)(6) (b)(7)(C)

Work Number: Contact at linguists' trailer, Camp Delta (does not know phone number)

Home Number: (b)(3) (b)(6)

REPORTED BY: (b)(7)(C) Special Agent

OFFICE: NCISFO Washington, DC

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

23JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA

SECOND INTERVIEW OF ILYAS BELOUED

1. (U) On 20JUN06, reporting agent (RA) interviewed (b)(3) (b)(6) (b)(7)(C) (b)(3) (b)(6) civilian, in order to obtain information regarding detainee chanting that took place the Alpha Block of Camp 1 at Camp Delta, Joint Task Force, Guantanamo Bay, Cuba (JTF-GTMO). (b)(3) (b)(6) was previously interviewed by PA (b)(7)(C) on 19JUN06 regarding his knowledge of the three detainee deaths that occurred in Alpha Block, during the early morning hours of 10JUN06. (b)(3) (b)(6) was not at the Camp at the time the three detainees were discovered, and did not provide information of evidentiary value during the 19JUN06 interview.
2. (U) The 20JUN06, interview took place in the NCISRA Guantanamo Bay, Cuba. (b)(3) (b)(6) advised that he works as an Arabic linguist in the cellblocks at Camp Delta. (b)(3) (b)(6) is a civilian employee of SOS, which is a division of Titan Corporation. On 09JUN06, (b)(3) (b)(6) worked the (b)(2) shift. 09JUN06 was the first Friday that (b)(3) (b)(6) had worked the evening shift. While (b)(3) (b)(6) was on duty, guards (NFI) called the linguist office and asked for an interpreter to translate detainee chanting taking place in Camp 1. According to the Cellblock Linguist Daily Activity Report Form filled out by (b)(3) (b)(6) he left the linguist office at 20:33 to listen to the chanting, and signed back in to the office at 20:40. Enclosure (A) pertains.
3. (U) (b)(3) (b)(6) stated that he stood inside the main entrance to Camp 1 and listened to the chanting for approximately two minutes. (b)(3) (b)(6) advised that the chanting was coming from the side of the Camp 1 in which Alpha block is located. (b)(3) (b)(6) stated that the chanting was loud, but that the only word he made out from the chanting was the word he spelled out as "yahodit." (b)(3) said that he had never heard this word before and did not know the meaning of the word. (b)(3) thought the word might be Pushti, Farsi or a combination of languages. After listening to the chanting, (b)(3) (b)(6) returned to the linguist trailer and asked one of the other interpreters on duty, if it was unusual for the detainees to chant in this manner. The other interpreter, an Arabic linguist named (b)(3) (b)(6) informed (b)(3) that on Friday nights the detainees often sing after night prayer, and noted they were probably chanting their "religious stuff." (b)(3) (b)(6) had (b)(3) step outside to listen to the chanting, but it stopped before (b)(6) could hear it. (b)(3) (b)(6) also attempted to look up the word "yahodit" in the Arabic book, but said it did not appear in the book.
4. (U) (b)(3) (b)(6) said it did not cross his mind that the chanting meant something bad. (b)(3) stated that he thought the detainees were

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SUBJ: V/AL ZAHRANI, SSER TALAL/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

just chanting on a religious topic or "maybe just having fun or chanting a reading together". (b)(3) noted that Muslims often chant during special times like Ramadan or at times when people gather together. He also pointed out that Muslims chant when somebody dies.

5. (U) (b)(3) (b)(6) is available to answer additional questions upon request.

ENCLOSURE(S)

(A) (U) Copy of (b)(3) Allblock Linguist Daily Activity Report Form filled out by BELVED/09JUN06.

REPORTED BY: (b)(7)(C)

OFFICE: NCISFO WASHINGTON DC

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

22JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA

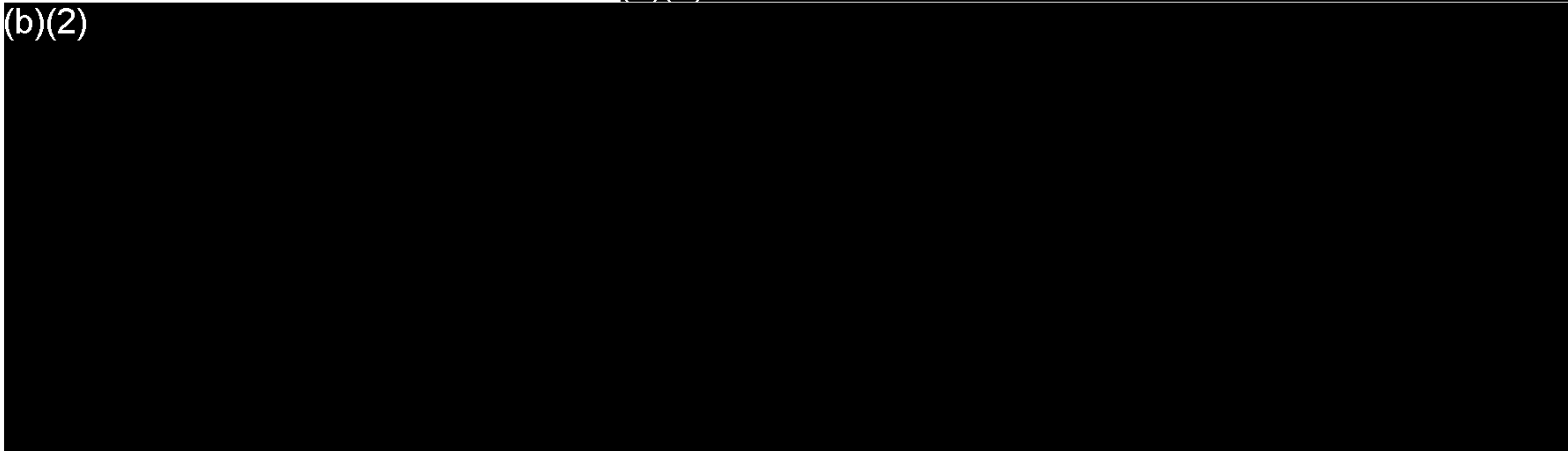
REVIEW OF STANDARD OPERATING PROCEDURES FOR CAMP DELTA, JTF-GTMO

1. (U) Reporting Agent (RA) reviewed the Stand Operating Procedure (SOP) Manual for Camp Delta, Joint Detention Group (JDG), Joint Task Force, Guantanamo Bay Cuba (JTF-GTMO), for sections that are potentially relevant to the three detainee deaths which occurred in the Alpha Block of Camp 1 at Camp Delta, JTF-GTMO during the early morning hours of 10JUN06. The most recent fully revised version of the SOP manual was published in DEC05 by order of the Commander Jay W. HOOD Brigadier General, United States Army, Commander, JTF-GTMO, and Official (b)(3):10 USC §130b,(b)(6) Colonel, Military Police Commander, JDG. The SOP lays out policy, procedures, and responsibilities for the security, administration and treatment of detainees in custody at Camp Delta. Enclosure (A) is a complete copy of the SOP. In addition to the DEC05 SOP manual, RA also reviewed guard mount messages written subsequent to the publication of the SOP manual for Camp Delta. Guard mount messages supercede the SOP manual and may present changes to the SOP, provide clarification of certain SOPs, or modify an existing practice due to changing circumstances. Guard messages are put out on an almost daily basis, and are disseminated via the Detainee Information System (DIMS) and briefed to guards at the beginning of each shift. Enclosure (B) contains guard mount messages distributed from 23NOV05 to 12JUN06.

2. (U) In order to investigate the deaths of the three detainees, it is necessary to determine what SOPs were in place on 09JUN06 and 10JUN06, and then to determine the manner in which the SOPs were followed prior to and on these dates. The procedures in place related to matters such as guard presence on the tiers, tier lighting, material hanging in detainee cells, habeas mail search policies, and other matters relevant to the investigation are addressed herein.

3. (U) The Detainee Information Management System (DIMS), supra, is used to annotate "everything related to a Detainee", and is detailed in Chapter 10, DOCUMENTATION AND DETAINEE INFORMATION MANAGEMENT SYSTEM, of the SOP manual. (b)(2)

(b)(2)



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SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

in the DIMS system.

4. (U) The presence of guards on the tier of Alpha block is addressed in the SOP, Chapter 8, Section 8-5, Paragraph (d) on page 28. The section states: (b)(2)

(b)(2)

5. (U) The procedure for headcounts and visual searches of the cells at night is addressed in Section 8-6.HEADCOUNTS, paragraphs (c) and (f) on page 28 and in Section 8-8.SEARCHES, paragraph (g), page 29. Section 8-6 states:

(b)(2)

c.

f.

6. (U) Section 8-8 states:

(b)(2)

g.

7. (U) The SOP for the search of habeas mail is contained in Section 8-8 (b), page 29, which states:

(b)(2)

8. (U) In order for detainees to have uninterrupted sleep at night, Section 8-14.SHOWER AND EXERCISE, paragraph (a) (b)(2)

(b)(2)

9. (U) The investigation into the detainee deaths to date, has raised concerns that detainees are communicating by passing mail and other papers to each other. Section 17-10 (b)(2)

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SUBJ: V/AL ZAHRAANI, SER TALAL/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

(b)(2)

a. (b)(2)

b.

c.

d.

10. (U) Chapter 30 of the SOP manual details the Emergency Action Plans (EAPs) for the Camp. Section 30-1. ATTEMPTED/ACTUAL SELF-HARM, pages 124 and 125, relays the procedures that are to take place when a (b)(2) the brevity code for a self-harm incident is called in the Camp, as it was in the early morning hours of 10JUN06. The section lists the notification process as well as the responsibilities of individuals and teams within the Camp, such as the Block Non Commissioned Officer (NCO), the CO, the Sergeant of the Guard (SOG), the Platoon Leader (PL), the Detention Operations Center (DOC), Incident Response Force (IRF) team members, medical staff and the Behavioral Healthcare Service (BHS). Enclosure (A), pages 124 and 125, contain the complete list of self-harm incident duties.

11. (U) Chapter 35. GUIDELINES FOR ATTORNEY VISITATION, also contains sections that are relevant to the investigation. It lists the materials attorneys are allowed to bring into detainee meetings, materials that may be taken out of detainee meetings, and delivery of legal and non-legal mail to detainees at GTMO. Section 35-1(a), page 176, (b)(2)

(b)(2)

12. (U) Appendix B of the SOP lays out matters of discipline within Camp Delta, and addresses the matter of linen hanging in the cells of detainees. Appendix B lists the comfort items allowed to each level of detainee (compliant, discipline and segregation), the ways in which the items may or may not be used, and the punishment for unauthorized use of items. (b)(2)

(b)(2)

13. (U) In addition to the SOP, guard messages (supra) relevant to

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SUBJ: V/AL ZAHRANI, [REDACTED] SSER TALAL/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

activities on and leading up to the events of 10JUN06, have been entered into DIMS system subsequent to the DEC05 publication of the SOP.

14. (U) On 07DEC05 1103L, the following Guard Message entitled "DETAINEES COVERING HEAD WITH SHEET" was released. The message states: (b)(2)

(b)(2)

On 24MAY06, at 1144L, another guard mail message was sent out regarding detainees covering themselves with sheets. The 24MAY06, message, detailed proper guard response and detainee punishment for failing to comply with guard instructions on this matter. Enclosure (B), supra, pertains.

15. (U) On 27MAR06, 1118L, the following Guard Message entitled "DETAINEE SELF HARM NOTIFICATION" was released. The message states:

(b)(2)

16. (U) On 24MAY06, at 1627L, the following Guard Message entitled "UNCLASSIFIED SUMMARIES OF EVIDENCE & HABEAS MAIL" was released. The section of the message related to habeas mail states:

(b)(2)

17. (U) On 28MAY06, at 1701L, the following Guard Message entitled

(b)(2)

(b)(2)

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SUBJ: V/AL ZAHRANI, SER TALAL/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

(b)(2)



18. (U) A follow up DIMS message was disseminated on 30MAY06, at 1057L, which noted that (b)(2)

(b)(2)



ENCLOSURE (S):

(A) (U/FOUO) Copy of the Stand Operating Procedure (SOP) Manual for Camp Delta of the Joint Detention Group (JDG), Joint Task Force, Guantanamo Bay, Cuba (JTF-GTMO), Camp Delta.

(B) (U) Copy of Camp Delta, JDG, JTF-GTMO Guard Messages distributed from 23NOV06 to 12JUN06.

REPORTED BY: (b)(7)(C)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: V/AL ZAHRANI, YASSER TALAL/CIV

CCN: 01JUN06-MPGT-0031-7HNA

INVESTIGATIVE ACTION: OVERHEARD CONVERSATION OF ISN (b)(6)

1. ~~(S/NF)~~ On 21Jun06, at approximately 2025, ISN (b)(6) was overheard talking about the "martyrdom operations" (the suicides on Alpha Block); which occurred on 09-10Jun06. ISN (b)(6) told an unknown detainee that sheets were used to hide the suicide victims from the guards and that it happened about 11 o'clock (2300).

Reported By: (b)(7)(C) Special Agent
Office: NCISRU Guantanamo Bay, Cuba

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EXHIBIT (121)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

14JUL06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF EFFORTS TO IDENTIFY (b)(6)

1. ~~(S/NF)~~ On 06Jul06, Reporting Agent (RA) made efforts to further identify a name mentioned in Exhibit (105), Enclosures (B). This name is: (b)(6). The name was signed on a handwritten note found in the cell of V/AL ZAHRANI in (b)(2). A review by (b)(3) (b)(6) Criminal Investigative Task Force (CITF) of the Joint Detainee Information Management System (JDIMS) identified two detainees with the name (b)(6) as part of their name.

JDIMS search by name (b)(6) results were:

(b)(6) (Alias) (ISN (b)(2)

(b)(2), (b)(6)

2. ~~(S/NF)~~ On 11Jul06, RA contacted (b)(7)(C) Joint Detention Group (JDG), who checked JDG records to determine if V/AL ZAHRANI had been assigned in the same blocks as either ISN (b)(2) or ISN (b)(2) leading up to V/AL ZAHRANI's death on 10Jun06. (b)(3) (b)(6) (b)(7)(C) review of records indicated:

ISN (b)(2)

02Apr06 - Moved to (b)(2)
30May06 - Moved to

ISN (b)(1)

18May06 - Moved to
19May06 - Moved to
20May06 - Moved to
29May06 - Moved to
24Jun06 - Moved to

ISN 93 (V/AL ZAHRANI)

11Mar06 - Moved to (b)(2)
16Mar06 - Moved to
08Apr06 - Moved to
16Apr06 - Moved to
08May06 - Moved to

There did not appear to be any common Block assignments for V/AL ZAHRANI and either ISN (b)(2) or ISN (b)(2)

REPORTED BY: (b)(7)(C) Special Agent

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SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

OFFICE: NCISRU Guantanamo Bay, Cuba

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05JUL06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF EFFORTS TO IDENTIFY NAMES MENTIONED IN IA

1. (S/NF) On 29-30Jun06, Reporting Agent (RA) made efforts to further identify two names mentioned in Exhibit (101), Enclosures (C - E).

These names were: (b)(6)

(b)(6) A review by (b)(3) (b)(6) (b)(7)(C) Joint Intelligence Group (JIG) of the Joint Detainee Information Management System (JDIMS) failed to identify any exact matches for the two names. (b)(3) (b)(6) (b)(7)(C) conducted general searches for the names (b)(6) with the following results:

JDIMS search by name (b)(6) results were:

(b)(2),(b)(6)

JDIMS search by name (b)(6) results were:

(b)(2),(b)(6)

2. (S/NF) Exhibit (101), Enclosure (A) has a portion addressed to

(b)(6), who was identified in a JDIMS search as (b)(2),(b)(6) name appears again in Enclosures (C and D)). Enclosures (C and D) are addressed to ISN (b)(2),(b)(6)

3. (S/NF) The name (b)(6) which appear in Exhibit (101), Enclosures (A, C, and D) are identified as ISN (b)(2)

4. (S/NF) The letters found in (b)(2) all appear to be written by detainees. There is mention of the word brother in some of the letters. It may indicate a blood brother, but this term is used in the Muslim culture for other male members of the faith.

REPORTED BY: (b)(7)(C) Special Agent
OFFICE: NCISRU Guantanamo Bay, Cuba

EXHIBIT (123)

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Page 1

LAST

(b)(7)(C)

V2 LNY

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731

STATEMENT

Place : NCIS GTMO
Date : July 11, 2006

I, (b)(3) (b)(6) (b)(7)(C) make the following free and voluntary statement to Special Agent (b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of being approached by detainee ISN-156 on 10Jun06. (b)(3)

For identification purposes, (b)(3) (b)(6) (b)(7)(C) I am currently assigned to JTF-GTMO (b)(3) (b)(6)

On 10Jun06 between (b)(2), I was doing my random checks on (b)(2). All of the detainees that are housed on (b)(2) are on hunger strikes. I went by (b)(2) Cell located at (b)(2) and I opened his view port to see how he was doing. I asked (b)(2) how was he doing and he replied "alright". (b)(2) then asked me how many of my brothers died last night, one, two, or three? I replied, "I do not know what you're talking about" and I closed his view port and walked away. (b)(3) (b)(6)

I do not know how (b)(2) knew about the suicides that occurred that night. The detainees died around 0100, and he asked about the incident that morning. To my knowledge none of the other guards discussed the incident with anyone and the detainees are not allowed to talk to each other. These detainees are housed in (b)(2). We only open the view port to check on them during our (b)(2) checks. (b)(3)

This statement, consisting of this page and 0 other page(s) was typed for me by (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief. (b)(3) (b)(6)

Signature (b)(3) (b)(6) (b)(7)(C)

Sworn to and subscribed before me this 11 day of July in the year 2006 at

1325

Witnessed: _____

(b)(7)(C)

Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

11JUL06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA

INTERVIEW OF (b)(3) (b)(6) (b)(7)(C)

1. (U) On 11JUL06, (b)(3) (b)(6) (b)(7)(C) was interviewed relative to a note that he found on V/AL ZAHRANI, Internment Serial Number 0093 (ISN 0093). As background, (b)(3) is assigned as a Nurse for (b)(2), Joint Task Force, Guantanamo Bay, Cuba. He is also assigned to the Detainee Acute Care Unit (DACU) when it is "stood-up" during an emergency situation.

2. (U) (b)(3) explained that on the night of 9-10JUN06, he responded to the DACU and assisted wrapping up the body of ISN 0093 for shipment to the Naval Hospital, GTMO. (b)(3) said that he cut the pants off 0093 and was picking up the shirt of 0093 to cut it off when he felt something he assumed was paper in the inside shirt pocket. (b)(3) stopped what he was doing and asked that an Army Major (b)(3) (b)(6) (b)(7)(C) who was waiting outside the DACU, be brought in. (b)(3) was wearing latex gloves. He removed a paper note from the pocket and handed it to (b)(3) (b)(6). He and (b)(3) (b)(6) then prepared an evidence custody document and (b)(3) (b)(6) placed the note in a plastic bag. (b)(3) did not know if (b)(3) (b)(6) was wearing gloves at the time.

3. (U) (b)(3) also stated that he witnessed an NCIS agent (SA (b)(7)(C) remove a similar note from the shirt pocket of ISN 693. This also occurred in the DACU.

BIOGRAPHICAL DATA

EMPLOYMENT: (b)(3) (b)(6) (b)(7)(C)

SSN:

DOB:

RESIDENCE:

OTHER:

REPORTED BY: (b)(7)(C) SPECIAL AGENT
OFFICE: NCISRU GUANTANAMO BAY, CUBA

EXHIBIT (125)

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Page 1

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(b)(7)(C)

V2 LNY

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733

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

30JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

AUTOPSY PHOTOGRAPHS OF V/AL ZAHRANI TAKEN ON 10JUN06

1. (U) Autopsy photographs of V/Al ZAHRANI were taken by (b)(3) (b)(6) (b)(3) (b)(6) Medical Photographer, AFIP, on 10Jun06. A CD rom of the photographs was provided to reporting agent and pertinent photographs were selected from the images on the CD rom and are attached below.

2. (U) IA is unclassified upon removal of enclosures.

ENCLOSURES

- (A) (S) Front view of V/AL ZAHRANI with medical life saving equipment
- (B) (S) Front view with face covered
- (C) (S) Back view with life saving equipment
- (D) (S) Front view without clothing or life saving equipment
- (E) (S) Back view before ligature is taken off, depicting length of ligature
- (F) (S) Left side profile view
- (G) (S) Right side profile view
- (H) (S) Right side profile view with ligature and medical equipment
- (I) (S) Left side view of ligature markings
- (J) (S) Right side area of neck showing ligature markings
- (K) (S) Back view of the neck showing ligature markings
- (L) (S) Left side view of neck with ligature markings
- (M) (S) Front view under neck showing ligature markings
- (N) (S) Right view under neck showing ligature markings
- (O) (S) Right view of ligature markings on neck
- (P) (S) View of the ligature markings under the neck
- (Q) (S) Front view of ligature markings under neck
- (R) (S) View under front of neck showing ligature markings
- (S) (S) Right side view of neck with ligature markings
- (T) (S) Front view of ligature on hands
- (U) (S) Side view of ligature on hands
- (V) (S) View of ligature on hands with evidence tag
- (W) (S) Ligatures on the ankles
- (X) (S) View of ligatures around the ankles
- (Y) (S) Tardieu spots shown on the ankles
- (Z) (S) Tardieu spots shown on the left leg
- (AA) (S) Inside of skull showing no fractures
- (BB) (S) Diffuse hemorrhage into the muscles of the neck
- (CC) (S) Close up of hemorrhage in the neck
- (DD) (S) Close up of hemorrhage in neck
- (EE) (S) Soft tissue hemorrhage in left lateral wrist
- (FF) (S) Ligature from around ankles with evidence tag
- (GG) (S) Ligature from around hands and wrists

EXHIBIT 06

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734

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SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

(HH) (S) Ligature from around neck

(II) (S) Ligature from around neck

REPORTED BY: (b)(7)(C) SPECIAL AGENT

OFFICE: NCISHQ WASHINGTON, DC

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(b)(7)(C)

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Page(s) 736-769 Enclosures (A)-(II)

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Comments: Referred to the
Armed Forces Medical
Examiner's office

NCIS

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

30JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

AUTOPSY PHOTOGRAPHS TAKEN OF V/AL TABI ON 11JUN06

1. (U) Autopsy photographs of V/AL TABI were taken by (b)(6) (b)(7)(C) (b)(3) (b)(6) Medical Photographer, AFIP on 11Jun06. A CD rom of the photographs was provided to reporting agent and pertinent photographs were selected from the images on the CD rom and are enclosed below.
2. (U) IA is unclassified upon removal of enclosures.

ENCLOSURES

- (A) (S) Front view of V/AL TABI with clothing and medical equipment
- (B) (S) Back view of V/AL TABI with clothing medical equipment
- (C) (S) Front view without clothing
- (D) (S) Back view without clothing
- (E) (S) Right profile view
- (F) (S) Left profile view
- (G) (S) Right side profile view of ligature markings on neck
- (H) (S) Front view of ligature markings under neck
- (I) (S) Left side view of ligature markings on neck
- (J) (S) Back view of neck showing ligature markings
- (K) (S) Close view of ligature markings
- (L) (S) Close up view of back of neck showing ligature markings
- (M) (S) Left side close up view of ligature markings
- (N) (S) View of back of neck
- (O) (S) View of inside of skull
- (P) (S) View of ligature that is braided
- (Q) (S) View of ligature
- (R) (S) Ligature that was found on floor of cell
- (S) (S) Braided ligature that was found on cell floor
- (T) (S) Braided ligature found on cell floor
- (U) (S) Shirt taken off V/AL TABI at autopsy
- (V) (S) Pants taken off V/AL TABI at autopsy

REPORTED BY: (b)(7)(C) SPECIAL AGENT
OFFICE: NCISHQ WASHINGTON, DC

EXHIBIT 127

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(b)(6) V2 LNY

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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INVESTIGATIVE ACTION

30JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

AUTOPSY PHOTOGRAPHS TAKEN OF V/AHMED ON 11JUN06

Autopsy photographs of V/AHMED were taken by (b)(6) (b)(7)(C) Medical Photographer, AFIP, on 11Jun06. A CD rom of the photographs was provided to reporting agent and pertinent photographs were selected from the images on the CD rom and are enclosed below.

ENCLOSURES

- (A) Front view of V/AHMED with clothing and medical equipment
- (B) Back view of V/AHMED with clothing and medical equipment
- (C) View of the lower portion of the back of the legs with ligatures
- (D) View of the back of the waist showing ligature
- (E) View of back of V/AHMED without clothing
- (F) View of front with waist ligature
- (G) Right profile view
- (H) Full front profile view
- (I) Left profile view
- (J) View of front of teeth and mouth
- (K) Right side of neck showing ligature markings
- (L) Right view of neck showing ligature markings
- (M) View of ligature markings under neck
- (N) Left view of ligature markings on neck
- (O) Left view of ligature markings on neck
- (P) Back view of ligature markings
- (Q) Front view of ligature markings
- (R) Front view of ligature markings
- (S) Close up view of right side of neck with ligature markings
- (T) Close up view of ligature markings
- (U) Close up view of ligature markings
- (V) View of hemorrhaging in neck muscles
- (W) View of inside of skull
- (X) Left leg depicting tardieu spots
- (Y) Ligature around ankles
- (Z) Shirt taken off of V/AHMED
- (AA) Pants taken off of V/AHMED
- (BB) Under shirt and underwear taken off V/AHMED
- (CC) Ligature taken from waist with evidence tag
- (DD) Ligature taken from legs with evidence tag
- (EE) Ligature found on cell floor
- (FF) Braided ligature
- (GG) Braided ligature
- (HH) Braided ligature found on cell floor
- (II) Braided ligature found on cell floor

REPORTED BY: (b)(7)(C) SPECIAL AGENT

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Exhibit 11b

10JUN06-MPGT-0031-7H

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

OFFICE: NCISHQ WASHINGTON, DC

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(b)(7)(C)

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DEPARTMENT OF THE NAVY
NAVAL CRIMINAL INVESTIGATIVE SERVICE RESIDENT AGENCY
PSC 1005 BOX 42
FPO AE 09593-0142

~~SECRET NOFORN~~

From: Special Agent in Charge, Naval Criminal Investigative Service
Southeast Field Office, Guantanamo,
To: Rear Admiral Harry B. Harris, Commander, Joint Task Force
Guantanamo

Subj: (U) REQUEST FOR ASSISTANCE

1. (S/NF) In an effort to pursue all logical endeavors in regards to the NCIS ongoing investigation into the deaths of the three detainees, (b)(1) Sec 1.4 C

(b)(1) from 09JUN06, 1700 until 10JUN06, 0530. (b)(1) Further, I request all copies of (b)(1) (b)(1)

2. (U) I request identification by name, rate or rank, and social security numbers of all personnel who worked at, in or around, Camp Delta, (b)(2) from 09JUN06, 1700 until 0530, 10JUN06. This should include all military personnel, escort personnel, sally-port personnel, linguists and civilian personnel.

3. (S) I request a written product of (b)(1) (b)(1) This document will be used to support the findings of the investigation. Furthermore, I request access to all DIMS products (unedited) related to the dates and times identified supra.

4. (U) As we continue to investigate this incident, I request all other inquiries less a JAG manual investigation be stopped. I realize the necessity of a JAG manual investigation and will provide whatever documents or information you require. All interviews of personnel who may have been involved should only be conducted by NCIS designated Special Agents at this time. I also respectfully request a copy of all power point briefs of the current investigation. All results of interviews, notes, statements, information and any items collected to include evidence, potential evidence, photos, should be turned over to NCIS immediately.

5. (U) I realize the sensitivity of some of the items I am requesting. Rest assured NCIS will appropriately safeguard all items. I will ensure only those personnel with a need to know have access to reporting, discussions or the identification of sensitive methods and information. I thank you for your assistance.

(b)(7)(C)

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DECLASSIFY: X1

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NCIS
EXHIBIT (129) 830



SECRET
DEPARTMENT OF THE NAVY
NAVAL CRIMINAL INVESTIGATIVE SERVICE RESIDENT AGENCY
PSC 1005 BOX 42
FPO AE 09503-0142

~~SECRET~~

SER00/088
13 JUN 06

From: Special Agent in Charge, Naval Criminal Investigative Service
Southeast Field Office, Guantanamo,
To: Rear Admiral Harry B. Harris, Commander, Joint Task Force
Guantanamo

Subj: (U) AMENDED REQUEST FOR ASSISTANCE

Ref: (a) Ltr S/Request for Assistance/undated/unserialized

1. (S) I had previously requested a JIG and JDG product. Upon consideration of this request I wish to amend the request and have the written product produced from the JTF vice the JIG and JDG.

(b)(7)(C)

DERIVED FROM: OPNAVINST S5513-4C
DECLASSIFY: X1

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SECRET

EXHIBIT (130)

NCIS

831



DEPARTMENT OF THE NAVY
NAVAL CRIMINAL INVESTIGATIVE SERVICE RESIDENT AGENCY
PSC 1005 BOX 42
FPO AE 09503-0142

SER00/089

17 JUN 06

From: Special Agent in Charge, Naval Criminal Investigative Service
South Field Office, Guantanamo,
To: Rear Admiral Harry B. Harris, Commander, Joint Task Force
Guantanamo

Subj: AMENDED REQUEST FOR ASSISTANCE

1. In an effort to continue with our criminal investigation into the deaths of the three detainees at Camp Delta, I respectfully request assistance in arranging transportation for items seized as potential evidence. Specifically I need to transport three tri-wall boxes, approximately 4x4x4, weighing approximately 500 pounds. This will require up to four Special Agents to accompany the tri-wall. I request the plane land at Naval Air Station Jacksonville, Florida. Upon arrival at Naval Air Station Jacksonville, I will have the tri-wall removed. I anticipate a departure date of June 20, 2006.

(b)(7)(C)

EXHIBIT (131)

NCIS

832



DEPARTMENT OF THE NAVY
NAVAL CRIMINAL INVESTIGATIVE SERVICE RESIDENT AGENCY
PSC 1005 BOX 42
FPO AE 09593-0142

SER00/091
19 JUN 06

From: Special Agent in Charge, Naval Criminal Investigative Service
South Field Office, Guantanamo

To: (b)(7)(C) Director, US Army Criminal Investigation Laboratory

Subj: REQUEST FOR URGENT PROCESSING OF EVIDENCE IN NCIS CASE

1. I respectfully request your organizations' assistance in performing the requested examinations on this evidence in the most expeditious manner possible. This investigation pertains to the deaths of three detainees being held at Camp Delta, Guantanamo Bay, Cuba and it has been the subject of critical interest from both the media and the national command authority. I am confident that the results of this investigation will assist in the formulation national security policy and therefore the need to fully resolve.

(b)(7)(C)

NCIS

EXHIBIT (132)

833



DEPARTMENT OF THE NAVY
NAVAL CRIMINAL INVESTIGATIVE SERVICE RESIDENT AGENCY
PSC 1005 BOX 42
FPO AE 00503-0142

SER00/093
19 JUN 06

From: Special Agent in Charge, Naval Criminal Investigative Service
South Field Office, Guantanamo
To: Rear Admiral Harry B. Harris, Commander, Joint Task Force
Guantanamo

Subj: RELINQUISHED CONTROL OF ALPHA BLOCK

1. I am turning over Camp Delta Camp One, Alpha Block to JTF control. I am finished with my death scene review and no longer need it to be under positive control.

(b)(7)(C)

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EXHIBIT (133)

NCIS

834



DEPARTMENT OF THE NAVY
NAVAL CRIMINAL INVESTIGATIVE SERVICE RESIDENT AGENCY
PSC 1005 BOX 42
FPO AE 09593-0142

SER00/092
19 JUN 06

From: Special Agent in Charge, Naval Criminal Investigative Service
South Field Office, Guantanamo
To: Rear Admiral Harry B. Harris, Commander, Joint Task Force
Guantanamo

Subj: AIR LIFT SUPPORT

1. In order to continue with my investigation into the deaths at Camp Delta Camp one, Alpha block, I respectfully request assistance with transporting 1,065 pounds of potential evidence. I need to transport the items, which are contained in 34 boxes, measuring 16x16x16 to Naval Air Station Jacksonville, Florida as soon as possible. The item must be escorted at all times by no less than two Special Agents. The Special Agents must maintain positive control at all times.
2. I request transportation as soon as possible.

(b)(7)(C)

EXHIBIT (134)

NCIS

035



DEPARTMENT OF THE NAVY
NAVAL CRIMINAL INVESTIGATIVE SERVICE RESIDENT AGENCY
PSC 1005 BOX 42
FPO AE 09503-0142

SER00/090
19 JUN 06

From: Special Agent in Charge, Naval Criminal Investigative Service
South Field Office, Guantanamo
To: Rear Admiral Harry B. Harris, Commander, Joint Task Force
Guantanamo

Subj: TRANSLATOR SUPPORT

1. In continuation of our investigation, I request one Arabic translator to be sent TDY to Naval Air Station Jacksonville, Florida. Specifically I request the translator to work at the NCIS office at Naval Air Station Jacksonville from July 10, 2006 to July 20, 2006 and translate documents provided to him. It would be beneficial to have two translators but I realize the workload at the JTF may not allow two to be sent TDY.

2. Point of Contact for additional coordination is Special Agent (b)(7)(C) at the Naval Criminal Investigative Service Office, x4101.

(b)(7)(C)

EXHIBIT (135)

NCIS 36

NAVAL CRIMINAL INVESTIGATIVE SERVICE

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Page(s) 837 - 866 Exhibit (136) - (140)

withheld entirely at this location. One or more of the following explain this decision:

☐ Deleted under exemption(s) _____

☐ Documents originated with other government agency(ies).
Referred for review and direct response to you.

☐ Pages contain information furnished by other government agency(ies). We will advise you of releasability of information following consultation with agency(ies).

Comments: Referred to SOUTHCOM

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**DEPARTMENT OF THE NAVY**

HEADQUARTERS
NAVAL CRIMINAL INVESTIGATIVE SERVICE
716 SICARD STREET SE SUITE 2000
WASHINGTON NAVY YARD DC 20388-5380

Ser 00/6U0046

3 July 2006

MEMORANDUM FOR COMMANDER UNITED STATES SOUTHERN COMMAND

Subj: REQUEST FOR NCIS INVESTIGATION INTO CIRCUMSTANCES
SURROUNDING THE DETAINEE SUICIDES ON 9/10 JUNE 2006

Ref: (a) U.S. SOUTHCOM ltr dtd 26Jun06/Subj: Request for NCIS investigative
assistance (NOTAL)
(b) Joint Task Force Guantanamo ltr dtd 22Jun06/Subj: Request for NCIS
investigative assistance (NOTAL)

1. In response to your request for further investigative assistance into the 09/10 June 2006 detainee suicides at the Guantanamo Bay detention facility, NCIS will proceed with the review of all materials recovered during the searches. This review will focus on items deemed relevant to the detainee suicides under investigation, and any evidence of other detainees encouraging, assisting, or planning these or future suicide attempts by detainees.
2. Before this review process can occur, the U.S. Southern Command is requested to establish a court approved "filter team" and process to ensure that all attorney client privileged correspondence and information is properly identified and segregated. Request the filter team be comprised of legal, translation, and support personnel to handle the significant volume of materials recovered during the searches of the detention facility.
3. Upon completion of this review process, NCIS will reassess the status of this investigation and determine if any additional investigative action is required.
4. The points of contact for this matter are Special Agent in Charge (b)(7)(C) (904) 270-5361 and Deputy Assistant Director (b)(7)(C) (202) 433-9254.

(b)(7)(C)

Director

cc: Mr. Paul Ney, General Counsel (acting), United States Navy
RADM Harry Harris, Commander JTF Guantanamo Bay
RADM Bruce MacDonald, Deputy Judge Advocate General, United States Navy

NCIS
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EXHIBIT (141)

NCIS

867

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Page(s) 808 - 913 Exhibits (142) - (143)

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U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (INTERIM)

20JUN06

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV

M/W/FNSA/N//26DEC83/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTM/ISN: 93/CELL A-8

V/AL TABI, MANA SHAMAN ALLABARD/CIV

M/W/FNSA/N//01JAN76/SAUDI ARABIA

SUPP: DETAINEE BEING HELD AT JTF-GTMO/ISN: 588/CELL A-12

V/AHMED, ALI ABDULLA H/CIV

M/W/FNYM/N//01AUG79/YEMEN

SUPP: DETAINEE BEING HELD AT JTF-GMTO/ISN: 693/CELL A-5

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA, (b)(7)(C) SPECIAL AGENT

EXHIBIT(S)

- (1) IA: Results of Evidence Collection From Base Police/12JUN06...(Copy All) (U)
- (2) IA: Receipt of Navy Expeditionary Guard Battalion Watch Bill/19JUN06...(Copy All) (U)
- (3) Rights Waiver & Sworn Statement of (b)(3) (b)(6) (b)(7)(C) 15JUN06...(Copy All) (U)
- (4) Results of Re-Interrogation of (b)(3) (b)(6) (b)(7)(C) /17JUN06...(Copy All)
- (5) IA: Results of Interview of (b)(3) (b)(6) (b)(7)(C) (b)(3) (b)(6) 10Jun06...(Copy All) (U)
- (6) Sworn Statement of (b)(3) (b)(6) (b)(7)(C) 14JUN06...(Copy All) (U)
- (7) IA: Interview of (b)(3) (b)(6) (b)(7)(C) /10Jun06...(Copy All) (U)
- (8) Rights Waiver & Sworn Statement of (b)(3) (b)(6) (b)(7)(C) (b)(3) /15Jun06...(Copy All) (U)
- (9) IA: Results of Re-Interview of (b)(3) (b)(6) 7Jun06 (U)
- (10) CITF Report of Investigative Activity, Activity# 90762061651032/10Jun06...(Copy All) (U)
- (11) Rights Waiver & Sworn Statement of (b)(3) (b)(6) (b)(3) /15Jun06...(Copy All) (U)
- (12) CITF Report of Investigative Activity, Activity# 09610061620816, Witness Interview of (b)(3) (b)(6) (b)(3) 10Jun06...(Copy All) (U)
- (13) Rights Wavier & Sworn Statement of (b)(3) (b)(6) (b)(3) 15Jun06...(Copy All) (U)
- (14) CITF Report of Investigative Activity, Activity# 20136061641251, Witness Interview of (b)(3) (b)(6) (b)(3) 10Jun06...(Copy All) (U)

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SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

- (15) Rights Wavier & Sworn Statement of (b)(3) (b)(6) (b)(3) 14Jun04... (Copy All) (U)
- (16) IA: Results of Re-Interview of (b)(3) (b)(6) 16Jun06... (Copy All) (U)
- (17) CITF Report of Investigative Activity, Activity# 29217061641100, Witness Interview of (b)(3) (b)(6) (b)(3) 10Jun06... (Copy All) (U)
- (18) Rights Waiver & Sworn Statement of (b)(3) (b)(6) (b)(3) /14Jun06... (Copy All) (U)
- (19) IA: Results of Re-Interview of (b)(3) (b)(6) 17Jun06... (Copy All) (U)
- (20) IA: Results of Interview of (b)(3) (b)(3) (b)(6) /10Jun06... (Copy All) (U)
- (21) Sworn Statement of (b)(3) (b)(6) (b)(7)(C) 14Jun06... (Copy All) (U)
- (22) Sworn Statement of (b)(3) (b)(6) (b)(7)(C) 15Jun06... (Copy All) (U)
- (23) Sworn Statement of (b)(3) (b)(6) (b)(7)(C) 17Jun06... (Copy All) (U)
- (24) IA: Results of Interview of (b)(3) (b)(6) (b)(7)(C) (b)(3) Undated... (Copy All) (U)
- (25) Sworn Statement of (b)(3) (b)(6) (b)(7)(C) 14Jun06... (Copy All) (U)
- (26) IA: Results of Interview of (b)(3) (b)(6) (b)(7)(C) 10Jun06... (Copy All) (U)
- (27) Sworn Statement of (b)(3) (b)(6) 14Jun06... (Copy All) (U)
- (28) IA: Results of Interview of (b)(3) (b)(6) (b)(7)(C) 10Jun06... (Copy All) (U)
- (29) Sworn Statement of (b)(3) (b)(6) (b)(7)(C) 14Jun06... (Copy All) (U)
- (30) CITF Report of Investigative Activity, Activity# 91671061640955, Witness Interview of (b)(3) (b)(6) (b)(3) (b)(6) 10Jun06... (Copy All) (U)
- (31) Sworn Statement of (b)(3) (b)(6) (b)(7)(C) 15Jun06... (Copy All)
- (32) IA: Results of Interview of (b)(3) (b)(6) (b)(7)(C) Undated... (Copy All) (U)
- (33) Sworn Statement of (b)(3) (b)(6) (b)(7)(C) 15Jun06... (Copy All) (U)
- (34) Sworn Statement of (b)(3) (b)(6) 15Jun06... (Copy All) (U)
- (35) IA: Results of Interview of (b)(3) (b)(6) (b)(3) 10Jun06... (Copy All) (U)
- (36) Sworn Statement of (b)(3) (b)(6) (b)(7)(C) 14Jun06... (Copy All) (U)
- (37) IA: Results of Re-Interview of (b)(3) (b)(6) 17Jun06... (Copy All) (U)
- (38) CITF Report of Investigative Activity, Activity# 59567061641047, Witness Interview of (b)(3) (b)(6) (b)(3) 10Jun06... (Copy All) (U)
- (39) Sworn Statement of (b)(3) (b)(6) (b)(7)(C) 14Jun06... (Copy All) (U)

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SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

- (40) Sworn Statement of (b)(3) (b)(6) 14Jun06... (Copy All) (U)
- (41) CITF Report of Investigative Activity, Activity# 59567061641009, Witness Interview of (b)(3) (b)(6) (b)(3) (b)(6) 10Jun06... (Copy All) (U)
- (42) Sworn Statement of (b)(3) (b)(6) (b)(7)(C) 14Jun06... (Copy All) (U)
- (43) IA: Interview of (b)(3) (b)(6) (b)(7)(C) Undated... (Copy All) (U)
- (44) Sworn Statement of (b)(3) (b)(6) (b)(7)(C) 15Jun06... (Copy All) (U)
- (45) Sworn Statement of (b)(3) (b)(6) 19Jun06... (Copy All) (U)
- (46) IA: Results of Interview- (b)(3) (b)(6) 16Jun06... (Copy All) (U)
- (47) IA: Review of Detainee Meal Plans/17Jun06... (Copy All) (U)
- (48) Sworn Statement of (b)(3) (b)(6) (b)(7)(C) 17Jun06... (Copy All) (U)
- (49) CITF Report of Investigative Activity, Activity# 64144061621020/11Jun06... (Copy All) (U)
- (50) Sworn Statement of (b)(3) (b)(6) (b)(7)(C) 16Jun06... (Copy All) (U)
- (51) Sworn Statement of (b)(3) (b)(6) 15Jun06... (Copy All) (U)
- (52) Sworn Statement of (b)(3) (b)(6) (b)(7)(C) 15Jun06... (Copy All) (U)
- (53) Sworn Statement of 16Jun06... (Copy All) (U)
- (54) Sworn Statement of 16Jun06... (Copy All) (U)
- (55) Sworn Statement of (b)(3) (b)(6) (b)(7)(C) 16Jun06... (Copy All) (U)
- (56) Sworn Statement of (b)(3) (b)(6) (b)(7)(C) /16Jun06... (Copy All) (U)
- (57) Sworn Statement of (b)(3) (b)(6) (b)(7)(C) 16Jun06... (Copy All) (U)
- (58) Sworn Statement of (b)(3) (b)(6) (b)(7)(C) 16Jun06... (Copy All) (U)
- (59) Sworn Statement of (b)(3) (b)(6) (b)(7)(C) 16Jun06... (Copy All) (U)
- (60) Sworn Statement of (b)(3) (b)(6) (b)(7)(C) 16Jun06... (Copy All)
- (61) IA: Results of Interview of (b)(3) (b)(6) 19Jun06... (Copy All) (U)
- (62) Sworn Statement of (b)(3) (b)(6) (b)(7)(C) 9Jun06... (Copy All) (U)
- (63) IA: Results of Interview of (b)(3) (b)(6) (b)(7)(C) 16Jun06... (Copy All) (U)
- (64) IA: Results of Interview of (b)(3) (b)(6) (b)(7)(C) 15Jun06... (Copy All) (U)
- (65) IA: Results of Interview of (b)(3) (b)(6) (b)(7)(C) 15Jun06... (Copy All) (U)
- (66) IA: Information Regarding Victims' Time of Death/Undated... (Copy All) (U)
- (67) CITF Report of Investigative Activity, Activity# 64144061621029, Witness Interview of AL QORESHI/10Jun06... (Copy All) (U)

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SUBJ: V/AL ZAHrani, YASSER TALAL/CIV

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- (68) CITF Report of Investigative Activity, Activity# 90762061641715, Witness Interview of (b)(6) (b)(6) /10Jun06...(Copy All) (U)
- (69) CITF Report of Investigative Activity, Activity# 20136061621206, Witness Interview of (b)(6) (b)(6) /10Jun06...(Copy All) (U)
- (70) CITF Report of Investigative Activity, Activity# 91671061621328, Witness Interview of (b)(6) (b)(6) /10Jun06...(Copy All) (U)
- (71) CITF Report of Investigative Activity, Activity# 91671061621430, Witness Interview of (b)(6) (b)(6) /10Jun06...(Copy All) (U)
- (72) IA: Interview of (b)(6) 16Jun06...(Copy All) (U)
- (73) IA: Interview of Detainee ISN-(b)(6) Undated...(Copy All) (U)
- (74) FBI Letter Head Memo, Interview of ISN (b)(6) /10Jun06...(Copy All) (U)
- (75) IA: Interview of Detainee ISN-(b)(6) 10Jun06...(Copy All) (U)
- (76) FBI Letter Head Memo, Interview of ISN (b)(6) /10Jun06 (Copy MPMP/0023B only) (U)
- (77) CITF Report of Investigative Activity, Activity# 91671061621402, Witness Interview of (b)(6) (b)(6) /10Jun06...(Copy All) (U)
- (78) CITF Report of Investigative Activity, Activity# 20136061622024, Witness Interview of (b)(6) (b)(6) /10Jun06...(Copy All) (U)
- (79) IA: Interview of Detainee ISN-(b)(6) /10Jun06...(Copy All) (U)
- (80) CITF Report of Investigative Activity, Activity# 22608061621537, Witness Interview of (b)(6) (b)(6) /0Jun06...(Copy All) (U)
- (81) CITF Report of Investigative Activity, Activity# 89004061621611, Witness Interview of (b)(6) (b)(6) /10Jun06...(Copy All) (U)
- (82) CITF Report of Investigative Activity, Activity# 29217061611552, Subject Interview of (b)(6) /10Jun06...(Copy All) (U)
- (83) CITF Report of Investigative Activity, Activity# 59567061611346, Witness Interview of (b)(6) /10Jun06...(Copy All) (U)
- (84) CITF Report of Investigative Activity, Activity# 22608061621441, Witness Interview of (b)(6) /10Jun06...(Copy All) (U)
- (85) CITF Report of Investigative Activity, Activity# 89004061621726, Witness Interview of (b)(6) /10Jun06...(Copy All) (U)
- (86) CITF Report of Investigative Activity, Activity# 90762061641724, Witness Interview of (b)(6) /10Jun06...(Copy All) (U)

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10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHrani, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

- (87) IA: Interview of Detainee ISN-198/10Jun06...(Copy All) (U)
- (88) FBI Letter Head Memo, Interview of (b)(6) 14Jun06...(Copy MPMP/0023B only) (U)
- (89) CITF Report of Investigative Activity, Activity# 09610061620931, Witness Interview of (b)(6) (b)(6) 10Jun06...(Copy All) (U)
- (90) FBI Letter Head Memo, Interview of (b)(6) 14Jun06 (Copy MPMP/0023B only) (U)
- (91) Two FBI Letter Head Memos, Interviews of ISN 0914/14Jun06...(Copy MPMP/0023B only)
- (92) IA: Interview of Detainee (b)(6) 10Jun06...(Copy All)
- (93) IA: Receipt of CITF Form 40 Titled "Preliminary Examination of ISN 588's Body"/17Jun06...(Copy All)
- (94) IA: Translation of Possible Suicide Note/16Jun06...(Copy All) (U)
- (95) IA: Results of Cell A-8 Death Scene Examination/17Jun06...(Copy All) (U)
- (96) IA: Results of Cell A-12 Death Scene Examination/17Jun06...(Copy All) (U)
- (97) IA: Results of Cell A-5 Death Scene Examination/17Jun06...(Copy All) (U)
- (98) IA: Results of Efforts to Develop Latent Prints in Cell A-8/17Jun06...(Copy All) (U)
- (99) IA: Results of Efforts to Develop Latent Prints in Cell A-12/17Jun06...(Copy All) (U)
- (100) IA: Results of Efforts to Develop Latent Prints in Cell A-5/17Jun06...(Copy All) (U)
- (101) IA: Results of Seizure and Examination of Documents/17Jun06...(Copy All) (U)
- (102) IA: Results of Log Book Seizure/13Jun06...(Copy All) (U)
- (103) IA: Results of Death Scene Re-Examination/13Jun06...(Copy All) (U)
- (104) IA: Results of Examination of Item "O" From ECD 014-06/17Jun06...(Copy All) (U)
- (105) IA: Receipt of Literal Translation of Item "O" from ECD 014-06/19Jun06...(Copy All) (U)
- (106) IA: Review of Evidence for Personal Property/17Jun06...(Copy All) (U)
- (107) IA: Receipt of Weather Results from NAFC for Guantanamo Bay, Cuba/15Jun06...(Copy All)
- (108) IA: Cursory Review of Seized Detainee Documents/19Jun06...(Copy All) (U)
- (109) IA: Results of Search Incident to Death/19Jun06...(Copy All) (U)
- (110) Preliminary Autopsy Results for V/AL ZAHrani/12Jun06...(Copy All) (U)
- (111) Preliminary Autopsy Results for V/AL TABI/14Jun06...(Copy All) (U)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

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- (112) Preliminary Autopsy Results for V/AHMED/13Jun06... (Copy All) (U)
- (113) IA: Results of Re-Creation of Death Scenes/17Jun06... (Copy All) (U)
- (114) IA: Packaging and Shipment of Evidence Obtained from Detainee Cells/19Jun06... (Copy All) (U)

EXECUTIVE SUMMARY

1. (U) Investigative was initiated on 10Jun06, subsequent to the receipt of information from the Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO) Staff Judge Advocate (SJA) of the death of three detainees, within JTF-GTMO Camp Delta. The three detainees were identified as V/AL ZAHRANI (ISN 093), V/AL TABI (ISN 588), and V/AHMED (ISN 693). V/AL ZAHRANI was found hanging by the neck inside his cell, in Alpha Block, Camp Delta, by Joint Detention Group (JDG) personnel. Subsequently JDG personnel discovered V/AL TABI and V/AHMED also hanging by their necks inside their cells, in Alpha Block. All three victims were taken down and immediately transported to the Detention (DET) Clinic, inside Camp Delta. V/AL ZAHRANI was later transported via ambulance to the Naval Hospital Guantanamo Bay, Cuba (NAVHOSP GTMO). V/AL ZAHRANI was pronounced dead at NAVHOSP GTMO. V/AL TABI and V/AHMED were both pronounced dead at the DET Clinic. Contact was made with the JDG Commander to get an overview of the situation. All three bodies were moved prior to NCIS arrival on scene. The death scenes were secured. All detainees were removed from the entire Alpha Block and the Block was secured. Interviews were conducted with all JTF-GTMO personnel who had any dealings with the response and treatment of the three detainees. Apparent suicide notes were discovered in the clothing of all three victims. Interviews were conducted with all detainees assigned to Alpha Block. Death Scene examinations were conducted of the three cells where the victims were found hanging. Armed Forces Institute of Pathology (AFIP) personnel conducted autopsies at NAVHOSP GTMO, on all three victims.

NARRATIVE

1. (U) This is a reactive investigation initiated to determine cause and manner of death of V/AL ZAHRANI, V/AL TABI and V/AHMED. No determination of a specific statute can be made at this time.
2. (U) Investigation was initiated on 10Jun06, subsequent to telephonic contact with (b)(3):10 USC [redacted] USN, Staff Judge Advocate (SJA), JTF-GTMO, advising three detainees had apparently hung themselves inside their cells at Camp Delta and were deceased.
3. (U) On 10Jun06, Reporting Agent (RA) responded to Camp Delta and met with (b)(3):10 USC §130b.(b)(6),(b)(7)(C) USA, Commander, JDG at Building 1, Camp Delta, JTF-GTMO regarding the deaths of three detainees within Alpha Block. (b)(3) (b)(3) (b)(6) advised at 0039, 10Jun06, Block Guards for Alpha Block discovered a detainee hanging in Cell A-8. Guard personnel responded, got the detainee down and transported him to the Detention (DET) Clinic. This detainee was

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identified as V/AL ZAHRANI (ISN 093). Within minutes guard personnel also discovered a detainee in Cell A-12 and then Cell A-5 also hanging. Both of these detainees were also transported to the DET Clinic within minutes. The detainees from Cells A-12 and A-5 were identified as V/AL TABI (ISN 588) and V/AHMED (ISN 693) respectively. (b)(3)(b)(6) reported V/AL ZAHRANI was transported to NAVHOSP GTMO where he was pronounced dead, on 10Jun06 at 0150. (b)(3)(b)(6)(b)(7)(C) indicated V/AL TABI and V/AHMED were pronounced dead, at the DET Clinic, on 10Jun06, at 0115 and 0116 respectively. (b)(3)(b)(6)(b)(7)(C) reported the three cells of the deceased detainees had been secured. RA advised (b)(3)(b)(6) that all the detainees in Alpha Block needed to be removed and the entire block secured until after a death scene examination of all three cells could be completed.

4. (U) On 12Jun06, Participant (PA) (b)(7)(C) contacted Naval Station Guantanamo Bay, Cuba (NAVSTA GTMO) Security Department in an effort to retrieve the logs for the JTF-GTMO medical emergency call on 10Jun06. (b)(7)(C) determined the recording system had experienced a power failure and had not be reactivated properly. (b)(7)(C) obtained a copy of the Police Desk Journal, Exhibit (1).

5. (U) The following depicts an approximate timeline for the significant events of 09JUN06 starting at 1600:

(U) Between 1600 and 1700 (b)(3)(b)(6) advised he searched cell A-5 occupied by V/AHMED, and found nothing unusual. During this same time frame (b)(6) was ordered to take down his blanket by (b)(3)(b)(6)(b)(7)(C), he refused. At 1628 (b)(6) was moved to the disciplinary barracks. (b)(6) was in cell (b)(2). At 1645 an Arabic interpreter was on the block to talk to two of the detainees, (b)(6). At 1735 An "A" Block head count was conducted by the off going shift.

(U) The evening shift changed occurred at approximately 1745. According to the watch bill, the evening shift was (b)(3)(b)(6)(b)(7)(C). Between 1800 and 1853 the detainees' meals were served by (b)(3)(b)(6)(b)(7)(C). (b)(3)(b)(6)(b)(7)(C) advised he is the one who collected all the food and trash after the meal. According to (b)(3)(b)(6) sometime after the meal, he and all the other guards met outside of the cellblock and ate some of the food the detainees did not finish. (b)(3)(b)(6) also stated no one was on the cellblock floor of Alpha for approximately ten minutes.

(U) Between 2000 and 2016 prayers and singing began in the cell block and continued until 2136. At 2017, a head count was conducted and entered in Detainee Information Management System (DIMS). At 2036 (b)(3) stated he observed V/AL ZAHRANI washing his blanket in his cell. At 2149, medication was administered to (b)(6) in cell (b)(2) and ISN (b)(6) in (b)(2) ISN (b)(6) refused his medication. At 2130 (b)(3) stated she observed all three of the victims alive. (b)(3) also observed V/AL ZAHRANI had a sheet tied up in his

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cell covering the left hand corner of the cell. According to (b)(3) (b)(6) (b)(7)(C) between 2130 and 2145, all detainees were in their beds with the exception of ISN (b)(6) in cell (b)(2).

(U) Between 2200 and 2206, ISN (b)(6) was weighed by medical in cell (b)(2). Between 2200 and 2230, (b)(3) walked the tier of Alpha Block and did not notice anything unusual. Per (b)(3) he departed Alpha Block at 2230 and called his wife from Juliet Block. Between 2230 and 2300, (b)(3) stated he walked Alpha Block and saw every detainee from (b)(2). Further he advised he continued down the other side of Alpha Block and saw every detainee in cells (b)(2). (b)(3) stated when he arrived at A-12 he noticed a blanket on the floor and assumed V/AL TABI was alive under the blanket. (b)(3) stated he did not look in the rest of the cells. At 2330, (b)(3) returned to the guard shack to read a book.

(U) (b)(3) stated she walked Alpha Block between 2300 and 2330. (b)(3) (b)(6) advised she thought V/AL ZAHRANI was asleep on his bed and the other two victims were sleeping on the floor in their cells. According to (b)(3) the guards on Alpha Block started their evening meal at 2300. She also stated that between 2320 and 2323 (b)(3) (b)(6) (b)(7)(C) walked Alpha Block. Further, when (b)(3) was interviewed he stated he did not recall seeing anything unusual during this time. When interviewed, (b)(3) stated he does not even recall walking the block. At 2350, according to DIMS, a head count was conducted but no one on the block recalls doing the head count or making the entry in DIMS.

(U) (b)(3) stated he walked the block between 2330 and 2400 or 0000 to 0030; he cannot recall which time he actually walked the block. He recalls a blanket hung in cell A-8 and V/AL ZAHRANI appeared to be asleep in his bunk. (b)(3) stated he walked the block from 0000 to 0036 and was relieved by (b)(3). (b)(3) stated at 0036, he noticed something unusual in cell A-8 and called HUNT for assistance. (b)(3) advised he yelled into the cell and tried to get V/AL ZAHRANI's attention. He and another guard from another cell block by the name of (b)(3) join (b)(3) (b)(6) (b)(7)(C) stated he pulled the blanket off the bed through a hole in the cell door while another guard from another cell block by the name of (b)(3) ran outside and looked through the window. (b)(3) stated he saw V/AL ZAHRANI hanging in his cell behind a blanket. (b)(6) arrived and opened the door and (b)(3) (b)(6) (b)(7)(C) went into the cell and (b)(3) cut V/AL ZAHRANI down.

(U) Shortly after 0036, (b)(3) (b)(6) stated he was returning from his evening meal and he observed (b)(3) running from the direction of Alpha block and screaming someone is hanging. (b)(3) ran to Alpha Block and saw (b)(3) (b)(6) (b)(7)(C) at cell A-8, and V/AL ZAHRANI on the floor of the cell. (b)(3) (b)(6) stated V/AL ZAHRANI was placed on a back board and carried to the Detention Clinic (DET) by several guards.

(U) While the guards from Alpha Block were transporting V/AL ZAHRANI to the

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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DET, guards from other blocks arrived to assist. After the Alpha Block guards returned, a guard by the name of (b)(3) (b)(6) requested assistance at A-12. (b)(3) stated he went to look in cell A-12 and ran to front of cell calling (b)(2) (code word for detainee self harm). (b)(3) (b)(6) (b)(7)(C) in front of cell and (b)(3) unlocks cell. (b)(3) removed the blanket and saw V/AL TABI hanging behind a blanket in the corner of the cell. (b)(3) stated he cut down V/AL TABI and he, along with others carried V/AL TABI to the DET.

(U) Shortly after the first two victims were discovered, (b)(3) walked the cell block to check on the rest of the detainees. He checked cell A-5 and did not see the detainee in the cell. (b)(3) stated he saw a blanket hanging in the corner of the cell and screamed into the cell to get the detainee's attention. When (b)(3) did not get a response he called "snowball". (b)(3) stated he thought he entered the cell with (b)(3) (b)(6) (b)(7)(C) but he is not sure. (b)(3) removed the blanket and he saw V/AHMED hanging in the corner of the cell. (b)(3) stated he and (b)(3) lifted the body and he thought (b)(3) cut down V/AHMED. V/AHMED was placed on the floor and then strapped to a back board and transported to the DET. Exhibits (2)-(47) pertain. b2 NCIS

6. (U) On 17JUN06, PA (b)(7)(C) interviewed (b)(3) (b)(6) (b)(7)(C) who provided a sworn statement regarding Standard Operating Procedures (SOP) for Camp Delta and his knowledge of the events surrounding the deaths of three detainees. (b)(3) (b)(6) was the Commander, Joint Detention Group, Guantanamo Bay, Cuba (JDG-GTMO), at the time the deaths occurred. Exhibit (48) pertains.

7. (U) On 10Jun06, PA (b)(7)(C) conducted screening interviews of medical personnel assigned to the Camp Delta Detention Facility Clinic. Interviews determined at approximately 0043, 10JUN06, (b)(3) (b)(6) (b)(7)(C) received a call from an Alpha Block guard informing her a detainee had no pulse and was being brought in for medical treatment. Shortly thereafter, V/AL ZAHRANI was brought into the treatment room by Alpha Block guards. V/AL ZAHRANI was unresponsive, had fixed dilated pupils and he had a locked shut jaw. V/AL ZAHRANI was cold to the touch, had a bruise around his neck and his fingers were bluish in color. Medical personnel observed rigor mortis. V/AL ZAHRANI was transported to the Naval Hospital, Guantanamo Bay, Cuba where he was pronounced dead. V/AL TABI was the second detainee brought in. V/AL TABI also was blue in color and cold to the touch. He had a (b)(2) (b)(2) The third detainee brought in was V/AHMED who also was cold to the touch and blue in color. All medical attempts were unsuccessful in saving their lives. Exhibit (49) pertains. All DET Clinic personnel were subsequently re-interviewed and sworn statements taken from each, Exhibits (50)-(62) pertain.

8. (U) On 10Jun06, RA interviewed (b)(3) (b)(6) (b)(7)(C) who reported on 10Jun06, he was on duty in the Emergency Room at NAVHOSP GTMO when V/AL ZAHRANI was brought in and immediately taken up to the Detainee

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

Acute Care Unit (DACU) for continued treatment. (b)(3) (b)(6) indicated medical personnel continued to perform CPR on V/AL ZAHRANI for approximately 30 minutes before pronouncing him dead at 0150, Exhibits (63)-(66) pertain.

9. (U) The remaining 25 detainees from Alpha Block were interviewed by NCIS, CITF and FBI personnel, on 10Jun06, regarding any information they might have regarding the death of the three detainees from Cells A-8, A-12, and A-5. The following Detainees were interviewed by participating personnel: (b)(6)

(b)(6)

(b)(6)

All the above detainees denied any prior knowledge of the incident. Exhibits (67)-(90) pertain.

10. (S/NF) On 10Jun06, PA (b)(7)(C) interviewed (b)(6) who stated on 09Jun06, he overheard the detainees in the recreation yard discussing using sheets to hang themselves, but was not sure they really meant it. (b)(6) stated he felt (b)(6) was responsible for the suicides. (b)(6) related everything is done according to (b)(6) advice. (b)(6) stated (b)(6) communicates within the camp by sending messages through sign language. Exhibit (91) pertains.

11. (S/NF) On 10Jun06, PA (b)(7)(C) interviewed (b)(6), who related he had no prior knowledge of the suicides. (b)(6) stated he heard about it and more death was coming very soon. (b)(6) further related forty detainees have made a pact to die. (b)(6) would not elaborate on how they would commit suicide. Exhibit (92) pertain.

12. (U) On 10Jun06, PA (b)(7)(C) responded to the DET Clinic and conducted a preliminary examination of the bodies of V/AL TABI and V/AHMED. (b)(7)(C) seized items of evidence and conducted photographic coverage of the bodies. The report provided by PA (b)(7)(C) with Enclosures is appended as Exhibit (93) pertain. On 10Jun06, original medical files for all three victims were seized and are being held at NCISRU Guantanamo Bay, Cuba.

13. (U) On 10JUN06, translations of the three notes found in the shirt pockets of V/AL ZAHRANI, V/AL TABI AND V/AHMED were completed with the following results:

V/AL ZAHRANI - "I turned in my Quran not insult...Now I'm turning in my body & sacred area so you not insult it"

V/AL TABI - "I left out of the cage despite of you. You are going to finish me for this. Put me in Oscar Block forever."

V/AHMED - " I did not like the tube in my mouth, now go ahead now accept the rope in my neck."

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

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U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

On 15JUN06, additional translations of the three notes were completed with similar results. Exhibit (94) pertains.

14. (U) On 10JUN06 at approximately 1530 hrs, NCIS South East Field Office Major Case Response Team (MCRT), consisting of (b)(7)(C) and Special Agents (b)(7)(C) arrived on scene at Alpha Block, Camp Delta, GTMO. Combat Camera provided (b)(3) (b)(6) (b)(7)(C) USN, who affected all photographic coverage of the scene. On 11JUN06, items were seized from various cells in Alpha Block. These items were not located in the cells of the deceased and included apparent suicide notes and various correspondence authored by the deceased. Based on this discovery, all cells within Camp Delta were searched. On 14Jun06, (b)(7)(C) reviewed all evidence from the hanging deaths of V/AL ZAHRANI, V/AL TABI, and V/AHMED for personal property. It was determined there was no personal property in NCIS custody. Exhibits (95)-(109) pertain.

15. (U) On 10-11JUN06, forensic autopsies were performed on V/AL ZAHRANI, V/AL TABI, and V/AHMED by (b)(3):10 USC §130b,(b)(6) Chief, Armed Forces Medical Examiner System. The autopsies were conducted at NAVHOSP GTMO. The preliminary autopsy reports for each of the victims list the cause of death as mechanical asphyxia, Exhibits (110)-(112) pertain. The final autopsy reports, toxicology reports, and autopsy photographs are pending.

16. (U) On 14JUN06, (b)(7)(C) re-created the death scenes inside Alpha Block, cells A-8, A-12, and A-5 and between 2150-2218 videotaped the three scenes. On 15Jun06, the three re-created scenes were photographed between 2124-2152. The lighting conditions were made to replicate the lighting on 09-10Jun06, Exhibit (113) pertains.

17. (U) On 19JUN06, agents assigned to NCISRU Guantanamo Bay packaged documents seized from the detainees being held in Camp Delta, Exhibit (114) pertains.

18. (U) SJA JTF GTMO has been continually briefed throughout this investigation. Detainee Analyst packages were provided for each of the three victims, but don't fall within the purview of this investigation and are not included. Investigation continues.

PARTICIPANT(S)

(b)(7)(C) NCISRU Guantanamo Bay, Cuba
(b)(7)(C) NCISRU Guantanamo Bay, Cuba
(b)(7)(C) NCISFO Mayport, FL
(b)(7)(C) NCISFO Mayport, FL
(b)(7)(C) NCISRA Kings Bay, GA
(b)(7)(C) NCISFO Mayport, FL
(b)(7)(C) NCISFO Mayport, FL
(b)(7)(C) NCISRA Jacksonville, FL
(b)(7)(C) NCISFO Washington, DC

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U. S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

(b)(7)(C) [REDACTED] NCISFO Washington, DC
(b)(7)(C) [REDACTED] NCISFO Washington, DC
(b)(7)(C) [REDACTED] NCISFO Washington, DC
(b)(7)(C) [REDACTED] NCISFO Washington, DC
(b)(7)(C) [REDACTED] NCISFO Washington, DC
(b)(7)(C) [REDACTED] NCISFO Washington, DC
(b)(7)(C) [REDACTED] NCISFO Washington, DC
(b)(7)(C) [REDACTED] NCISFO Washington, DC
(b)(7)(C) [REDACTED] CITF GTMO
(b)(7)(C) [REDACTED] CITF GTMO
(b)(7)(C) [REDACTED] CITF GTMO
(b)(7)(C) [REDACTED] CITF GTMO
(b)(7)(C) [REDACTED] CITF GTMO
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(b)(7)(C) [REDACTED] FBI GTMO
(b)(7)(C) [REDACTED] FBI GTMO
(b)(3) (b)(6) (b)(7)(C) [REDACTED] JTF GTMO Investigations
(b)(3) (b)(6) (b)(7)(C) [REDACTED] NAVSTA GTMO Security
(b)(3) (b)(6) [REDACTED] Command Investigator, NAVSTA GTMO Security
(b)(3) (b)(6) (b)(7)(C) [REDACTED] Command Investigator, NAVSTA GTMO Security
(b)(3) (b)(6) (b)(7)(C) [REDACTED] NCISRU Guantanamo Bay, Cuba
(b)(7)(C) [REDACTED] NCISFO Mayport, FL

ACTION

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: V/AL ZAHRANI, YASSER TALAL/CIV
CCN: 10JUN06-MPGT-0031-7HNA

INVESTIGATIVE ACTION: RESULTS OF EVIDENCE COLLECTION FROM BASE POLICE

On 12JUN06, Reporting Investigator met with (b)(3) (b)(6) the Information Systems Security Officer for NAVSTA GTMO Base Police at Security Headquarters, Bldg #1655 to retrieve logs regarding the JTF medical emergency on 10JUN06.

Reporting Investigator and (b)(3) (b)(6) conducted an examination of the Dictaphone recording system to retrieve logs from the 911-telephone system regarding a JTF medical emergency call received to Base Police at about 0049 on 10JUN06. Reporting Investigator and (b)(3) (b)(6) logged into the Dictaphone recording system and discovered it had experienced a power failure and had not been properly reactivated. Because the Dictaphone was deactivated, it did not record any calls from 03MAY06 until about 2100 on 10JUN06, when power was restored during maintenance.

Reporting Investigator obtained a copy of the Base Police Desk Journal log detailing the Police response to the medical emergency, enclosure (A) pertains. The desk journal described two patrolmen, (b)(3) (b)(6) (b)(7)(C) and (b)(3) (b)(6) (b)(7)(C) responded to Camp Delta along with US Naval Hospital (USNH) medical personnel, retrieved one victim from the Camp Delta Medical Clinic and escorted the ambulance to USNH.

ENCLOSURE(S)

(A) Desk Journal for NAVSTA GTMO Security Department regarding the JTF medical emergency on 10JUN06/12JUN06

Reported By: (b)(3) (b)(6) (b)(7)(C)
Office: NAVSTA-GTMO, CID

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Referred for review and direct response to you.

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Comments: Referred to SOUTHCOM

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

//23/MP//

INVESTIGATIVE ACTION

19JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA

RECEIPT OF NAVY EXPEDITIONARY GUARD BATTALION WATCH BILL

1. On 10JUN06, Reporting Agent received a copy of the watch bill for the Navy Expeditionary Guard Battalion, Camp 1, Platoon 2, Squads 1 and 3, Enclosure (A) pertains. The watch bill, dated 09JUN06, listed (b)(3)(b)(6) as the Platoon Leader, (b)(3)(b)(6) as the Sergeant of the Guard, and (b)(3):10 as the Alpha Block Non-Commissioned Officer.

ENCLOSURE(S)

(A) Copy of Navy Expeditionary Guard Battalion/09JUN06

REPORTED BY: (b)(7)(C) SPECIAL AGENT
OFFICE: NCISRA GUATANAMO, CUBA

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Page 1

LAST

(b)(7)(C)

V2 LNY

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NCIS

EXHIBIT (2) 933

NAVAL CRIMINAL INVESTIGATIVE SERVICE

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Page(s) 934 Enclosure (A)

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MILITARY SUSPECT'S ACKNOWLEDGEMENT AND WAIVER OF RIGHTS

Place: NCISRA GUANTANAMO BAY CUBA

Date : June 15, 2006

I, (b)(3) (b)(6) (b)(7)(C) have been advised by (b)(7)(C) that I am suspected of FALSE
OFFICIAL STATEMENT

I have also been advised that:

- (1) I have the right to remain silent and make no statement at all;
- (2) Any statement I make can be used against me in a trial by court-martial or other judicial or administrative proceeding;
- (3) I have the right to consult with a lawyer prior to any questioning. This lawyer may be a civilian lawyer retained by me at no cost to the United States, a military lawyer appointed to act as my counsel at no cost to me, or both;
- (4) I have the right to have my retained lawyer and/or appointed military lawyer present during this interview; and
- (5) I may terminate this interview at any time, for any reason.

(b)(3) I understand my rights as related to me and as set forth above. With that understanding, I have decided that I do not desire to remain silent, consult with a retained or appointed lawyer, or have a lawyer present at this time. I make this decision freely and voluntarily. No threats or promises have been made to me. (b)(3)

Signature

(b)(3) (b)(6)
(b)(7)(C)

Date & Time:

15 JUN 2006 / 0755

(b)(3) (b)(6) (b)(7)(C)

Witnessed:

(b)(7)(C)

16 JUN 2006 / 1514

(b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6)
(b)(7)(C)

Statement to follow

(b)(3)
(b)(6)
(b)(7)(C)

STATEMENT

Place : NCISRA GUANTANAMO BAY CUBA

Date : June 14, 2006

I, (b)(3) (b)(6) (b)(7)(C) make the following free and voluntary statement to (b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the death of three detainees in Alfa Block

For informational purposes, I am a (b)(3) (b)(6) (b)(7)(C) I am currently a Chief Master At Arms assigned to the Joint Task Force Guantanamo Bay, Cuba. I enlisted in the Navy on (b)(3) (b)(6) and my rotation date is (b)(3) (b)(6) (b)(7)(C) I am a US citizen and my ssn is (b)(3) (b)(6)

My assignment at JTF-GTMO is a Platoon Leader for the Camp 1 Detention Facility. The Camp 1 Detention Facility includes Blocks Afta, (b)(2) My duties include overall management of Camp 1 personnel and detainees. Under me is a (b)(2) is managing the daily detainee operations for the (b)(2) blocks. Each block contains a Block NCO and four block guards. My Platoon assumed duty at (b)(2) 9JUN06 for a 12 hour shift.

My platoon mustered at approximately (b)(2) for turnover with the off-going platoon. The turnover was normal. I recall the passdown included tracking the hunger strikers and the fact the showers/recreation area continued to be secured because of thunderstorms in the area. (b)(3) (b)(6) a qualified Sergeant of the Guard, was on watch after having just returned from leave. (b)(7)(C) was on the watch bill as the Sergeant of the Guard and wore the belt that night.

(b)(2)

Sergeant of the Guard's report to me. Most of the detainee issues are handled by the block NCO's but on occasion, the Sergeant's of the Guard get involved and if they can't resolve a detainee's issue, then I get involved. As a normal rule, I do not get involved in daily detainee issues.

I recall the evening of 9June as being pretty normal. The evening meal was served at approximately 7-7:30. The meal from the time they are given their food to the time the waste is collected is about 2 hours. The guards deliver the food to the detainees and are responsible for ensuring everything they received is collected, ie the serving dish, clamshell and the fork. The detainees are allowed to keep two sealed items (milk or juice) in their cells but nothing more. These items have to be placed in locations where the guards can see them.

on June 14, 2006

All detainees have basic items in their cells but some detainees are allowed to have more items issued on case by case basis meaning some detainees have more items than their basic items. These are called comfort items and include such things as extra water bottles, shoes, medical socks, towels, bed sheets, blankets, t-shirt and a mattress. Extra comfort items are issued based on their cooperation and compliance with camp rules. As an example, some detainees are issued one blanket along with a second as a comfort item, one large towel along with a second as a comfort item, and an ISO mat with a mattress as a comfort item. Detainees are not issued a t-shirt as an issued item but are given one as a comfort item. A listing of basic issue items and comfort items are included in the DEC 2005 Camp Delta SOP. Camp one is a compliant camp. If a detainee transfers into Camp One it is with the assumption he is allowed both basic and comfort items. Items are taken away from him if he becomes non-compliant.

After dinner was finished in Alpha Block (between 9:00-9:30) the detainees began chanting or praying. That particular night only the Camp Alpha Block was chanting. This is normal as on any given night, only one block normally chants or sings. When the signing began, the block NCO or SOG called for an interpreter to listen. The interpreter relayed to the SOG that the signing was normal religious singing and the chanting was of "Allah" which is pretty normal.

My normal routine in the causeway is to stop at the guard shacks from time to time and make sure things are normal. This is my SOG's primary responsibility but I also check in with the guard shacks as I think necessary. I also walk the blocks on occasion but on that particular night, I am not sure if I walked Alpha Block or not. If I did, I do not recall anything being out of the ordinary. It is acceptable behavior for detainees to wash their sheets/blankets and hang them up to dry as long as they do not block the guards view of the cells. If I did walk alpha block and a blanket was hung up in one of the cells, I would not have thought it out of the ordinary. (b)(2)

into the DIMS system that I was there and the times I

a(b)(2)

reflects I was on Alpha Block between 2320L and 2323L, 9JUN06. I recall being there at this time and remember the Block NCO being in the guard shack. I do not remember which of the guards were on the tier but I know that others were present because I would not leave the Block if I did not see other guards present. The rules require at least (b)(2) other guards (b)(2)

(b)(2) at all times. If the block NCO leaves, he must have a qualified watch-stander replace him. (b)(3)

(b)(3) was the Alpha Block NCO and only qualified Block NCO on the duty roster that night. If he had to leave, he would have had to call the SOG who would find a replacement for him.

After midnight, I was in (b)(2) updating the classified Meal Tracker List.

on June 14, 2006

NCIS
b2
I heard (b)(2) ALFA BLOCK" over my radio and ran outside and to Alpha Block. I entered Alpha Block and saw guards outside Alpha 8, which is the cell for 0093. I saw two guards holding 0093's hands and feet. 0093 was lying on the deck in his cell and his eyes were rolled back. He had what appeared to be (b)(7)(C) I told them to remove it and I was told they had tried to take it out but they couldn't take it out. I heard someone say "no pulse". Someone ran out and got a backboard. I went to the guard shack and called DOC and stated (b)(2) 0093". I said it twice because I was hyped up and they asked for a repeat. I asked for medical response and hung up. I ran back to A-8. The guards present were (b)(3) (b)(6) (b)(3) (b)(6) (b)(7)(C) I am not sure if (b)(3) was there. After 0093 was on the backboard four guards grabbed it and headed to medical. I told those remaining to check on everyone else in the block and headed to medical. I arrived at medical and 0093 was placed on a table and about this time, I heard the 2nd (b)(2) - ALFA BLOCK" over my radio. I ran back to Alpha block and saw guards at

NCIS
b2
A-12 which is the cell of detainee 588. There were two guards in A-12 and 588 was lying on the deck. His hands were bound and a twisted rope made out of sheets was around his neck. (b)(7)(C) (b)(7)(C) I directed someone to bring a backboard. I recall that (b)(3) (b)(6) was there and people from the escort team being there. I don't know their names. There was no headrest on backboard so I told (b)(3) to hold his head and for them to transport him to medical.

I then heard someone shout "A-5" which is the cell of detainee 693. I went from A-12 to A-5 and when I got there, 693 had been cut down and he was on lying on the deck. 693 (b)(7)(C) I can't recall if his hands or feet were bound. There were a lot of people from outside Alpha block helping out. 693 was taken to medical.

I went around and checked all the other detainees in the block and all were OK. The detainees were being real quiet. Most were either standing up or sitting on their beds. As we walked through, we would look at the detainees but they would lower their heads and not look at us. This was strange because they always look at you when you look at them.

I then went to (b)(2) blocks to make sure all was well there.

This statement, consisting of this page and 3 other page(s) was typed for me by (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief.

(b)(3) (b)(6) (b)(7)(C)

Signature: _____

Sworn to and subscribed before me this 15th day of June in the year 2006 at

Continuation of voluntary sworn statement of
(b)(3) (b)(6) (b)(7)(C)
on June 14, 2006

NUSRA GTMD San Cuba

(b)(7)(C)

Witnessed:

Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

17JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF RE-INTERROGATION OF MAC ALBA

1. On 16Jun06, Reporting Agent (RA) re-interrogated (b)(3) (b)(6) at NCISRU Guantanamo Bay, Cuba. Before questioning, (b)(3) (b)(6) was reminded of his rights to remain silent and to refer to an attorney. (b)(3) (b)(6) advised he understood his rights and wanted to talk to RA; he then re-signed the rights waiver form previously executed on 15Jun06.
2. (b)(3) (b)(6) was specifically questioned about his stop at A-Block on 09Jun06 at approximately 2320 hours. (b)(3) (b)(6) previously reported he checked in at the A-Block guard shack but said he could not remember whether he walked the block or not. RA confronted (b)(3) (b)(6) with the statements of other guards on the block who said he walked the block that night. (b)(3) (b)(6) maintained he still could not remember, but he said he would "go with" that account, if that was what the others remembered.
3. RA then told (b)(3) (b)(6) that NCIS knew he walked the block after checking in with (b)(3) (b)(6) and that he passed (b)(3) (b)(6) on the tier. (b)(3) (b)(6) said it helped his memory to hear that (b)(3) (b)(6) was on the tier. He then admitted to walking all the way to the end of A-Block and back. He said he passed (b)(3) (b)(6) twice (once on the way down the block and once on the way back to the guard shack), then checked out with (b)(3) (b)(6) at the guard shack. However, (b)(3) (b)(6) said he could not remember whether (b)(3) (b)(6) walked the block with him or not.
4. (b)(3) (b)(6) reported no further pertinent information, and after the interrogation, he was released to (b)(3) (b)(6).

REPORTED BY: (b)(7)(C) Special Agent
OFFICE: NCISFO Washington, DC

EXHIBIT (4)

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(b)(7)(C) V2 LNY

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

10JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF INTERVIEW (b)(3) (b)(6) (b)(7)(C)

Please note the original transmission(s) of this IA contained errors in the "Header" portion. Any previous transmissions of this IA should be destroyed. This transmission supercedes all others and contains revised "Header" information.

NARRATIVE

1. In the early morning hours of 10Jun06, three detainees were found hanging inside Alpha Block of Camp 1 at Camp Delta, Joint Task Force Guantanamo Bay, Cuba. Reporting Agent (RA) interviewed (b)(3) (b)(3) (b)(6) (b)(7)(C) at Camp Delta, Bldg 1, regarding his knowledge of the circumstances surrounding the discovery of three detainees, hanging inside Alpha Block cells, during the early morning hours of 10Jun06.
2. For background (b)(3) (b)(6) (b)(7)(C) 12-hour shift commenced at approximately 0600 on 09Jun06. (b)(3) (b)(6) was assigned as the Sergeant of the Guard (SOG) for Camp 1, Platoon 2, Squads 1 &
3. (b)(3) (b)(6) advised, in the early morning hours of 10Jun06, he was notified of one of the detainees trying to hang himself. When (b)(3) (b)(6) arrived at Alpha Block, Military personnel were bringing out the 1st hanging victim, V/AL ZAHRANI (ISN 093), from Alpha Block. (b)(3) (b)(6) reported the skin complexion on ISN 093 was blue and it appeared as if (b)(7)(C) (b)(3) (b)(6) told the guards to walk the block and then someone called out (b)(2) " the code for a suicide when a 2nd victim was found, Mana Shaman Allabard AL TABI (ISN 588). (b)(3) (b)(6) explained as they found the 2nd victim, they found a 3rd victim, Ali Abdulla H. AHMED (ISN 588). (b)(3) (b)(6) heard someone call for shears. Subsequent to discovery of the three hanging victims, CTM1 was outside Alpha Block near the NCO Guard shack and the Sally Gates until responding to Bldg. 1.

BIOGRAPHICAL DATA

EMPLOYMENT: (b)(3) (b)(6) (b)(7)(C)
SSN:
DOB:
POB:
RESIDENCE:

REPORTED BY: (b)(7)(C) SPECIAL AGENT
OFFICE: NCISRU GUANTANAMO BAY, CUBA

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(b)(7)(C) V2 LNY

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EXHIBIT (5)

STATEMENT

PLACE: NCISRU Guantanamo Bay, Cuba Office

DATE: June 14, 2006

(b)(3)
(b)(6) (b)(3) (b)(6) (b)(7)(C)
(b)(7) (b)(7)(C) make this free and voluntary statement to Special Agent
whom I know to be a Representative of the United States Naval
Criminal Investigative Service. I make this statement of my own free will and without
any threats made to me or promises extended. I fully understand that this statement is
given concerning my knowledge of the deaths of three detainees residing in Alpha Block,
Camp Delta on 10JUN06. For the purposes of this statement I will refer to the detainees
as ISN93, ISN693 and ISN588 (b)(3)

(b)(3)
(3) For identification purposes I am a (b)(3) (b)(6) (b)(7)(C) I have
(b)(3) (b)(6) (b)(7)(C) (b)(3) (b)(6) (b)(7)(C) (b)(3) (b)(6) (b)(7)(C)
(b)(3) (b)(6) (b)(7)(C) (b)(3) (b)(6) (b)(7)(C)
(b)(3) (b)(6) (b)(7)(C)

(b)(3)
(b)(6) I have served at Camp 1, Platoon 2 for the Joint Task Force, Guantanamo Bay, Cuba
since 20SEP05. I have served both as a Block Non-Commissioned Officer (NCO) for all
Blocks on Camp 1 and also as Sergeant of the Guard (SOG) for Camp 1. As an NCO, I
supervise the block guards and handle small disputes from the detainees concerning the
conduct of the block guards. As a SOG I supervise the Camp 1's NCOs, the block guards
and the Sallys. As a SOG I also handle the disputes between the block guards and the
detainees that are not handled by the NCOs. (b)(3)
(b)(6)

(b)(3)
(b)(6) On a typical day as a SOG when I arrive for duty the outgoing SOG verbally gives me a
report as well as the logbook. The logbook records significant events that happened
during the day shift and changes in policies such as Guard Mount Message. The logbook
does not contain the Guard Mount Messages but it refers to them. I review the Detainee
Information Management System (DIMS) periodically during my shift. I also review the
DIMS for completeness when an event occurs. I muster the Sailors in Camp 1. After
muster, the Block Guards meet with the outgoing Block Guards for any potential issues
such as whether a detainee received linens, shower and recreation information, or
whether he accented food. During my shift I walk around the causeway between Blocks
A through (b)(2) If I am not out on the causeway I am in (b)(2)
(b)(2) depending on which one is open, doing paperwork or entering
information into DIMS. (b)(3)
(b)(6)

(b)(3)
(b)(6) On 09JUN06 I reported to duty at (b)(2) At that time I was present when the outgoing
SOG was providing passdown information to (b)(3) (b)(6) (b)(7)(C) was scheduled
to be the SOG on 09JUN06 but because he had just come back from leave I assumed the
duties of the SOG. The only significant item I noted during the meeting between the
outgoing SOG and (b)(3) (b)(6) was that (b)(6) had just come back from behavioral
health at the hospital in (b)(2) and that (b)(2) was being disruptive. I do not recall (b)(3)
(b)(6)

(b)(3) any discussion of (b)(6) being told to remove his blanket, which was hanging in his
(b)(6) cell. This type of information would not typically be conveyed during the pass down
meeting nor would it be in the logbook. It is more appropriately contained in the DIMS.
I do not recall seeing the information regarding (b)(6) in the DIMS. I am not aware of
any major problems relayed from the outgoing Block Guards or NCOs to those working
on my shift. (b)(3) (b)(6)

(b)(3) At about evening prayer, approximately 2010 to 2030, I was on the causeway and I heard
(b)(6) the Alpha Block detainees singing and chanting. I do not speak Arabic but I heard the
word "Zarqawi," so I called an interpreter (NFI) down. Probably around 2020 an
interpreter came down. After listening for several minutes, the interpreter said they were
singing a folk song. The interpreter said the singing was harmless, so I sent the
interpreter back. I then instructed the Alpha Block NCO to input into DIMS who was
singing and that the interpreter had been present and indicated that the singing was
harmless. I then informed Platoon Leader (PL), (b)(3) (b)(6) (b)(7)(C) of the
situation. I also met with PL (b)(3) 10 USC about the disturbance Alpha 25 caused
earlier around 1900. The detainees stopped singing for prayer about 2025 to 2030.
During prayer the leader would say something and the others would repeat it. The
prayers are not loud but they are audible. The prayer was not abnormal so I did not take
note of it. After Alpha Block prayed they started singing again. I do not recall when the
singing stopped but think it stopped around 2100. Normally around 2200 the detainees
go to sleep so I believe the singing stopped before 2200. (b)(3) (b)(6)

(b)(3) Around 0025 - 0030, I was on the causeway when I saw (b)(3) (b)(6) running out of
(b)(6) Alpha Block and he said, "SOG you have a problem. You have a detainee in Alpha
(b)(7)(C) Block hanging himself." I then ran to Alpha Block and walked up the "tier," the
walkway between the two rows of cellblocks, and saw that the Block NCO and Block
Guards bringing the detainee out from cellblock Alpha 8. I do not remember who exactly
was tending to detainee ISN093. The bottoms of the detainee's feet were bluish in color
and (b)(7)(C). His eyes were half open and half closed. (b)(3) (b)(6)
(b)(3) had brought the backboard from the causeway and then the detainee was placed on
(b)(6) the backboard. The detainee was completely limp when he was placed on the
backboard. I called (b)(2) the term we use for a suicide attempt, on the radio. I
then called the Detention Operations Center (DOC) and informed them that we had a
(b)(2) on Alpha Block. I believe (b)(3) (b)(6) (b)(7)(C)
(b)(3) (b)(6) (b)(7)(C) and possibly others took the detainee out of Alpha Block A
on the backboard. I told them to take him to the clinic. I thought we had a chance to
save him so I made the decision to have him taken to the clinic rather than wait for
medical staff on the tier. I told (b)(3) (b)(6) (b)(7)(C) to
stay on the tier to monitor Alpha Block to make sure nothing larger was happening. I
sent (b)(3) (b)(6) (b)(7)(C) down the tier and told them to make sure the
other detainees were not trying to kill themselves. I told them to make sure there was
movement. (b)(3)

(b)(3) I was at or near the NCO shack at the head of the cellblock consoling (b)(3) (b)(6) when
(b)(6) (b)(3) (b)(6) (b)(7)(C) told me that Alpha 12 was not responding. (b)(3) (b)(6)
(b)(7)(C)

NCIS b2 (b)(3) (b)(6) had the cellblock keys so she responded to cellblock 12. I believe (b)(3) (b)(6) (b)(7)(C) and an escort team (I can't remember the members of the escort team) also responded to cell 12. I proceeded to call the tower to open the outside sally gate near the causeway. At about the same time I called DOC and informed them about the second (b)(2) at Alpha 12 and identified the ISN number. I heard the block guards at cell 12 call for the shears. I do not recall who took the detainee out of cellblock 12. I did not get a good look at the detainee from cellblock 12 and the first time I saw him he was on the backboard. One of the first two guys in the cell told me that the detainee from cell 12 had hung himself and that they had to cut him down. Someone, I cannot remember who, told me that they pulled (b)(2) but I did not see (b)(2). I noticed that the bottoms of his feet were bluish in color and he appeared to be lifeless. The escort team and the other guards who came back from the clinic took this detainee to the clinic. I cannot remember exactly who escorted him. (b)(3) (b)(6)

(b)(3) (b)(6) Less than two minutes after the block guards identified that the detainee in cell 12 had a problem other block guards, including (b)(3) (b)(6) identified that the detainee in cell 5 was not responding. I saw the block guards getting ready to enter cell 5. I was directing traffic and relaying information to people as they came on the tier. I saw the block guards bring out the detainee and place him on the tier. I did not notice anything unusual about this detainee because I did not look at him long. I knew this detainee as one of the hunger strikers and he spoke English. I did not know the other two detainees so I was able to examine them more closely. I recognized the detainee from cell 5 as a human being so his death was more emotional. He was also one of the more compliant detainees. I never had a problem with him. The block guards, I don't remember who, then removed the detainee to the medical clinic. (b)(3) (b)(6)

(b)(3) At approximately 0100, after the detainees were removed, I told the block guards present not to go into the cells and to leave the cells as they were. The doors were closed but not locked. During the time of the events discussed in this statement I know (b)(3) was working on the causeway. After the third (b)(2) somebody called the Alpha block team to go to (b)(2) to fill out 2823's, sworn statements. I sent the Alpha block team over to (b)(2) and when they were there they were informed to go talk to (b)(3) (b)(6) (b)(7)(C). At about 0130 to 0200 somebody in the chain of command, probably the Assistant Officer in Charge, told me to go to the DOC to do a sworn statement. I did so and there I was notified that I did not need to do a sworn statement because I would prepare one for NCIS. I went back to the different blocks of Camp 1 to bring the others that were on Alpha Block outside the Alpha Block team to the DOC to meet with (b)(3) (b)(6) (b)(7)(C) and NCIS agents. At about 0430 I was released from (b)(3) (b)(6) (b)(7)(C) office. (b)(3) (b)(6) (b)(7)(C)

NCIS b2

(b)(3) (b)(6) (b)(7)(C)

Continuation of Voluntary Sworn Statement of

(b)(3) (b)(6) (b)(7)(C)

On 14 June 2006

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

This statement, consisting of this page and 3 other page(s) was typed for me by SA (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief (b)(3) (b)(6) (b)(7)(C)

Signature: _____

Sworn to and subscribed before me this 14 day of JUNE in the year 2006
at NCIS RU Guantanamo Bay, Cuba.

Witnessed: _____

(b)(7)(C)

Special Agent

Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

945

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

10JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF INTERVIEW OF (b)(3) (b)(6) (b)(7)(C)

Please note the original transmission(s) of this IA contained errors in the "Header" portion. Any previous transmissions of this IA should be destroyed. This transmission supercedes all others and contains revised "Header" information.

On 10Jun05, 0039 hours, three detainees being held at Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO) were found by Joint Detention Group (JDG) personnel hanging by their necks. Their lifeless bodies were discovered within Camp Delta, Camp One, Cell Block Alpha, Cell Five, Eight, and Twelve. Reporting Agent (RA) interviewed (b)(3) (b)(6) (b)(3) (b)(6) to ascertain his actions during the time the detainees were found hanging.

(b)(3) (b)(6) stated on 10Jun06 at approximately 0038hrs, (b)(3) (b)(6) informed (b)(3) (b)(6) he could not wake up detainee ISN-0093 of A Block, Cell 8. (b)(7)(C) stated he went to cell 8 and tapped on the cell in an attempt to get the detainees attention, but he received no response. (b)(3) (b)(6) stated they pulled on the detainee's blanket twice before discovering the detainee wasn't in his bed. (b)(3) (b)(6) related the detainee had his personal belongings fashioned in a way that would mimic a person lying in bed. (b)(3) (b)(6) stated (b)(3) (b)(6) walked around to the rear of the cell and discovered the detainee hanging by his neck. (b)(3) (b)(6) related (b)(3) (b)(6) opened the cell and him; (b)(3) (b)(6) and (b)(3) (b)(6) entered. (b)(3) (b)(6) related the detainee had a blanket hanging in the cell, which concealed his body.

(b)(3) (b)(6) stated the detainee's head was wrapped and he had a mask over his mouth. (b)(3) (b)(6) related he also witnessed (b)(2) (b)(2) (b)(3) (b)(6) stated he assisted with placing the detainee on a backboard and with moving him to the medical unit. (b)(3) (b)(3) had nothing further to add.

REPORTED BY: (b)(7)(C) SPECIAL AGENT
OFFICE: NCISRU GUANTANAMO BAY, CUBA

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NCIS

EXHIBIT (7 946

MILITARY SUSPECT'S ACKNOWLEDGEMENT AND WAIVER OF RIGHTS

Place: NCISRU Guantanamo Bay, Cuba

Date : June 15, 2006

I, (b)(3) (b)(6) (b)(7)(C) have been advised by (b)(7)(C) that I am suspected of False Official Statements, UCMJ Article 107.

I have also been advised that:

- (b)(3) (1) I have the right to remain silent and make no statement at all;
- (b)(3) (2) Any statement I make can be used against me in a trial by court-martial or other judicial or administrative proceeding;
- (b)(3) (3) I have the right to consult with a lawyer prior to any questioning. This lawyer may be a civilian lawyer retained by me at no cost to the United States, a military lawyer appointed to act as my counsel at no cost to me, or both;
- (b)(3) (4) I have the right to have my retained lawyer and/or appointed military lawyer present during this interview; and
- (b)(3) (5) I may terminate this interview at any time, for any reason.

I understand my rights as related to me and as set forth above. With that understanding, I have decided that I do not desire to remain silent, consult with a retained or appointed lawyer, or have a lawyer present at this time. I make this decision freely and voluntarily. No threats or promises have been made to me.

Signature : _____

(b)(3) (b)(6) (b)(7)(C)

Date & Time: 15 JUN 06 10754

Witnessed: _____

(b)(7)(C)

(b)(7)(C)

SWORN

STATEMENT

ATTACHED

(b)(7)(C)

STATEMENT

Place : NCISRU Guantanamo Bay, Cuba

Date : June 15, 2006

(b)(3) I (b)(3) (b)(6) make the following free and voluntary statement to (b)(7)(C)
(b)(6) (b)(7)(C)
(b)(7) III, whom I know to be a Representative of the United States Naval Criminal Investigative Service. I
(C) make this statement of my own free will and without any threats made to me or promises extended. I
fully understand that this statement is given concerning my knowledge of the hanging deaths of three
detainees in Camp Delta, Camp 1, Alpha Block, on 09-10Jun06. (b)(

(b)(3) (b)(6) (b)(7)(C)

For background, I arrived at JTF-GTMO on 21Sep05, for a 1 year assignment and I am scheduled to
leave in Sep06. I worked at (b)(2) from my arrival until late May06, when I was moved to work in
Camp 1. I have been a Block NCO since moving over to Camp 1. I was a block observer, block
guard, block NCO and Sergeant of the Guard (SOG) when I was working in (b)(2) (b)(3)

On 09Jun06, I took the bus from (b)(3) (b)(6) (b)(7)(C) to Camp Delta for (b)(2) muster for the night shift
in Camp 1. We mustered at a location we call the (b)(2) which is located near Detention
(DET) clinic near the entrance to Camp 1. At the muster were the SOG (b)(3) (b)(6) (b)(7)(C)

(b)(3) At this muster (Guard Mount) they told us that showers and recreation were secure. I was
assigned as the Block NOC for Alpha Block and my team that night consisted of (b)(3) (b)(6) (b)(7)(C)
(b)(3) (b)(6) (b)(7)(C) I had worked with all of the guards before this night except
for (b)(3) (b)(6) I stopped off at (b)(2) on the way to Alpha Block to get a fresh battery for the
radio. (b)(2) is where our admin office is located. After that I went on to Alpha Block. (b)(3)
(b)(6)

When I arrived at Alpha Block, I got turnover from the day shift Block NCO, who told me that all cell
searches had been completed. I was informed to keep a watch on the detainee in cell (b)(6) who had
been a hunger striker and also on the detainee in cell (b)(6), who was non-Muslim. (b)(3)
(b)(6)

We are required to have at least three guards on the block, with one of them on the tier at all times.
The block guards walk the tiers in (b)(2) increments. Whenever a shift changes the guards are
inundated with requests from the detainees. So the beginning of a shift is usually quite hectic. When
medical personnel come to the block it is usually either one or two persons, but no more. (b)(3)
(b)(6)

On 09Jun06, we fed the detainees between approximately 1830-1900. When we feed the detainees
they are allowed 30 minutes to eat. Normal practice is for (b)(2) guards to be involved in passing out
food and water. On 09Jun06, we had some extra food and offered it to the detainees. The guards
would have picked up the trash from the food, between 1915-1930. I know that the three deceased
detainees were alive at that time. On 09Jun06, there were 3 detainees that only had liquids to drink
and took no food. These were identified as (b)(2), (b)(6)

(b)(2) (b)(3)

948

on June 15, 2006

(b)(3) 5 don't remember who did the headcount at 2017. I also don't remember who typed in the information
 USC to the DIMS. Whenever anyone types in the DIMS inside the Alpha Guard Shack it would read A
 §57 block NCO, whether or not I was the person who typed the information. The detainees usually tell the
 4(j), guards when it is prayer time and ask us to put out a yellow traffic cone in the tier so that no one makes
 (b)(3) any noise. (b)(3) 10

USC §13 the detainees began to sing on 09Jun06 about 2015-2020. It is not unusual for them to sing, but I had
 0b, (b)(3):10 call for an interpreter to come and listen to the singing. The interpreter did not come on the
 (b)(6) tier or block, but was in the causeway listening. The interpreter passed to the SOG that there was
 (b)(7)(C) nothing significant to the singing. (b)(3):10 USC made a number of entries to the DIMS regarding the
 singing going on in the block. The detainees sang for a total of about 45 minutes. They didn't stop
 until about 2100 or a little after. They stopped when the next prayer call came at approximately 2100. (b)(3):10

The first two block guards (b)(3):10 USC §130b,(b)(6) went to chow at approximately 2300. I usually
 give them 45 minutes on the night shift. When (b)(3):10 USC §130b,(b)(6) returned I let (b)(3):10 USC
 and (b)(3):5 USC go to chow. I believe (b)(3):10 USC §130b,(b)(6) did not come back at the same
 time, but a minute or two different. I was going to go last to chow. (b)(3)

The first shift I remember walking the tier on 09Jun06, was between (b)(2) The detainees were
 singing, but there was nothing else unusual. I did receive a request from the detainee in Cell (b)(2) to
 see his interrogator to read his letters to him. I told him he couldn't read them to him in his cell and
 that he would have to make an appointment. I think all detainees were alive at this time, but I just
 don't know for certain. (b)(3)

The JTF-GTMO procedures up through 09Jun06 were to shut out the overhead lights on one side of
 the tier at 2200. This makes it very difficult to see inside the cells especially on the side without the
 overhead lights. (b)(3):10

In the three weeks I had been at Camp 1, I found the detainees were allowed to hang items up to dry
 and they were allowed to put their mattresses up against the cell wall to give them more privacy. They
 would hang blankets, sheets, clothes, their isomats. I have complained to the Platoon Leaders, as have
 other guards, about the detainees hanging these items, but we were told it was okay as long as the
 items were not hanging on the door to the cell. I walked another shift on the tier between either (b)(2)
 (b)(2) I really can't remember which time. By this time the overhead lights had been
 turned off on the side over cells (b)(2). My practice is to walk up one side and then the other. We were
 not allowed at the time to have a flashlight, to bang on the bean hole or to wake up the detainees. The
 fact that the detainees are allowed to have items hanging up in their cells makes it even darker in the
 cells and harder to see the detainees. I do remember that the detainee in cell A-8 had a blanket hanging
 up back by his sink and that his mattress was up on the side blocking the view looking in from the tier
 to the cell. It appeared as I walked by that he was in his bunk. I saw some form under a blanket, but I
 could not see his head because the view was blocked, by the mattress that was propped up. I don't
 know for sure if any of the three deceased detainees were alive when I was walking the tier at this
 time, because I didn't see skin or movement at that time. Platoon Leader (b)(3):10 came on the tier
 and walked the tier between (b)(2) I walked with him as he walked the tier (b)(3):10

Continuation of voluntary sworn statement of

(b)(3) (b)(6)

on June 15, 2006

(b)(3)
(b)(6) I don't remember who made the 2350 headcount that is showing up on the DIMS report for 09Jun06. The DIMS report will show "A Block NCO" as making the entry no matter who types it in to the computer. I honestly don't remember doing a headcount at that time, but we may have done one. (b)(3)
(b)(6)

(b)(3)
(b)(6) (b)(3) (b)(6) was walking the tier in Alpha Block between (b)(2) on 10Jun06. I was in the guard shack with (b)(3) (b)(6). We were the only three people there at that time because (b)(3) (b)(6) and (b)(3) (b)(6) were at chow. I remember (b)(3) (b)(6) came to the guard shack and asked (b)(3) (b)(6) to come with him. I was getting ready to make some entries at that time into DIMS. (b)(3) (b)(6) came back to get me because he said he couldn't get the detainee in cell A-8 to answer him. I went to cell A-8 and tapped on the beanhole, which is midway up on the cell door. This is used to pass in food and other items to the detainees. I got no response, so I tapped even harder. I was pushing on the mattress that was propped against the front cell wall. I still got no response, so against policy I opened the beanhole and pulled on the detainee's blanket, which was over what appeared to be his body in the bunk. I saw something move under the blanket so I thought I was being waved off by the detainee, but he still would not respond. I pulled again and the same thing happened. I pulled a third time and the blanket came off and I could see that the only thing on the bunk were items to make it look like a person was in the bed. I said "He's not here". I thought he might be waiting behind the blanket for us to come in. At this time (b)(3) (b)(6) went down the outside of Alpha Block and the concrete or the I-Beams outside cell A-8 and looked in the window. (b)(3) (b)(6) yelled out "he's hanging, he's hanging". Both (b)(3) (b)(6) and I started yelling (b)(2) which is code for a suicide attempt. (b)(3) (b)(6) came with the (b)(2) kit and unlocked the cell door and (b)(3) (b)(6) (b)(7)(C) and I rushed into the cell. We yanked on the blanket, which did not immediately come down and then I pushed it aside and immediately lifted up the detainee with help from (b)(3) (b)(6). I believe (b)(3) (b)(6) cut the detainee down. The detainee was suspended above the floor on the side of the cell between cell A-8 and A-7, his eyes were open, he was cold to the touch and his fingers and toes were blue. He was wearing clothes, but no shoes. His hands/wrists and feet/ankles were bound with cloth material. There was what looked like a surgical mask on his face and underneath (b)(7)(C) (b)(7)(C) which I could not pull out. He had material wrapped around his head and neck. (b)(3)
(b)(6)

(b)(3)
(b)(6) Once we had the detainee from cell A-8 down on the floor in the tier, I check for a pulse, but could not find one. At this point (b)(3) (b)(6) was on the block, as was the SOG (b)(3) (b)(6). We (b)(2) the detainee's (b)(2) per policy and put him on a backboard and carried him to medical. We could not have done the process any faster than we did. Although the detainee looked to be gone from the time we found him we treated it as if there was still hope and did everything humanly possible to try to save the detainees life. (b)(3) (b)(6) (b)(7)(C) and myself ran with the detainee from cell A-8 to the DET Clinic. (b)(3) (b)(6) was beating on the door to the DET Clinic and when we entered the medical personnel were just standing around at first. I sent everyone back to Alpha Block and was checking DIMS for the detainee's ISN #. The Platoon Leader (b)(3) (b)(6) was there at the DET Clinic. While I was at the DET Clinic I heard over the radio more (b)(2) calls going out over the radio for Alpha Block. (b)(3) (b)(6) and I headed back towards Alpha Block. When I got to Alpha Block the other military personnel were putting the detainee from cell A-12 on a backboard and were pulling the detainee from cell A-5 down. Both of those detainees were also taken to the DET Clinic. I told everyone to take everything down from the cell walls. I said if a mattress was up I wanted it down. I wanted to clear out anything that was going to obstruct the views. By this point the overhead lights were on both sides of the tier. (b)(3)
(b)(6)

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Continuation of voluntary sworn statement of

(b)(3) (b)(6)

on June 15, 2006

(b)(3) Since the three deaths the JTF has now changed the policy and are not allowing anything to be hanging in the cells. They are now issuing the blankets out at night and collecting them in the mornings. The guards can now have a flashlight on the tier and at least 3 guards have to be walking the tier at all times. The overhead lights are on and the guards are allowed to bang on the beanhole. These are all changes that hopefully will help prevent future suicide attempts. (b)(3)

(b)(3) This statement, consisting of this page and 3 other page(s) was typed for me by (b)(3):10 USC §130b.(b)(6) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief. (b)(3)

(b)(3) (b)(6) (b)(7)(C)

Signature: _____

Sworn to and subscribed before me this 15 day of June in the year 06 at

1400 NCISRU Guantanamo Bay, Cuba

(b)(7)(C)

Witnessed: _____

Service

C. 303

951

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

17JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF RE-INTERVIEW OF (b)(3) (b)(6)
(b)(7)(C)

1. On 16Jun06, Reporting Agent (RA) re-interviewed (b)(3) (b)(6) at NCISRU Guantanamo Bay, Cuba. Before questioning, (b)(3) (b)(6) was reminded of his rights to remain silent and to refer to an attorney. (b)(3) (b)(6) advised he understood his rights and wanted to talk to RA.

2. Regarding the DIMS headcount entry made at 2350 hours, (b)(3) (b)(6) said he did not make the entry and did not know who did. He said the only entry he made in DIMS on 09Jun06 was at the beginning of his shift for the oncoming headcount. Further, he said anyone on the block can make the random headcount entries.

3. (b)(3) (b)(6) was also asked about his observation of the mattress in cell A8, which he previously said was standing on its side, blocking the view of the cell. (b)(3) (b)(6) said he noticed mattresses and towels were up in a number of cells, as early as 1830 or 1900 hours, when he helped distribute chow. He said the mattresses did not come down by the time he walked the tier at 2330 hours.

4. (b)(3) (b)(6) had no other new information to report.

REPORTED BY: (b)(7)(C) Special Agent
OFFICE: NCISFO Washington, DC

EXHIBIT (9)

FOR OFFICIAL USE ONLY

Page 1

LAST

(b)(7)(C) V2 LNY

WARNING

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DELETED PAGE INFORMATION SHEET

withheld entirely at this location. One or more of the following explain this decision:

✓ Documents originated with other government agency(ies).
Referred for review and direct response to you.

Comments: Referred to Criminal
Investigation Task Force

NCIS

MILITARY SUSPECT'S ACKNOWLEDGEMENT AND WAIVER OF RIGHTS

Place: NCIS GTMO

Date : June 15, 2006

I, (b)(3) (b)(6) (b)(7)(C) have been advised by (b)(7)(C) that I am suspected of False official Statements Article 107, and Failure to obey an order or regulation Article 92.

I have also been advised that:

(b)(3)

(b)(6)

(b)(7)(C)

(1) I have the right to remain silent and make no statement at all;

(2) Any statement I make can be used against me in a trial by court-martial or other judicial or administrative proceeding;

(b)(3)

(b)(6)

(3) I have the right to consult with a lawyer prior to any questioning. This lawyer may be a civilian lawyer retained by me at no cost to the United States, a military lawyer appointed to act as my counsel at no cost to me, or both;

(b)(3)

(b)(6)

(4) I have the right to have my retained lawyer and/or appointed military lawyer present during this interview; and

(b)(3)

(b)(6)

(5) I may terminate this interview at any time, for any reason.

(b)(3)

(b)(6)

(b)(7)(C)

I understand my rights as related to me and as set forth above. With that understanding, I have decided that I do not desire to remain silent, consult with a retained or appointed lawyer, or have a lawyer present at this time. I make this decision freely and voluntarily. No threats or promises have been made to me. (b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) (b)(7)(C)

Signature

Date & Time: 15 June 06 / 0742

Witnessed:

(b)(7)(C)

EXHIBIT (11)

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STATEMENT

Place : NCISRU GTMO

Date : June 15, 2006

I (b)(3) (b)(6) (b)(7)(C) make the following free and voluntary statement to (b)(7)(C) (b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the suicides that took place on Alpha Block on 10Jun06 (b)(3)

(b)(3) (b)(6) (b)(7)(C)

On 09Jun06, at approximately (b)(2) I started my shift on Alpha Block. (b)(3) (b)(6) (b)(7)(C) appointed me to take over as block NCO, and he took my duties as block guard. I feel he was assigning me these duties to train me to run the block. The other three block guards were (b)(3) (b)(6) (b)(7)(C) (b)(3) (b)(6) (b)(7)(C) did the turn over while I did the initial response force (IRF) turnover with the off going shift. Someone completed a head count of all of the detainees at the beginning of the shift, but I don't know who did it. (b)(3) (b)(6)

The entire shift participated in handing out meals to the detainees. I'm not sure what time we handed the food out but you can check in the DIMMS system to see. The only unusual occurrence during chow was (b)(6) refused to eat chow and he only accepted milk. We allow the detainees 30 minutes to eat and I believe we all collected the trash. I believe I saw a blanket hanging in the rear corner of A5 cell at that time. A5 was squirting his blanket down with water. The detainees usually wash and dry their blankets this way. These detainees haven't been allowed to Rec. or shower in the past four to five days, so they usually make improvised showers in their cell. These detainees also constantly wash themselves for prayer too. It is a common practice to allow the detainees to hang blankets inside of their cell. The detainees are not allowed to have anything hanging on the cell doors that would obstruct a guard's vision though. I have an issue with allowing detainees to have items hanging in their cell. It would obstruct our vision almost to the point of not being able to see in at all. Recently, the Chain of Command had authorized the guard force to enforce hanging anything on the cell door. The detainees in Camp 1 were authorized to hang anything, anywhere in the cell, with the exception of the front door. (b)(3) (b)(6)

In the past, when you ordered a detainee to take stuff down, the detainee will usually become belligerent and verbally assault you. Sometimes the detainee would even try to physically assault you. The detainee will then begin yelling and screaming (and banging or kicking on their bean holes) for the Sergeant of the Guard (SOG). The SOG will come on the block and usually give in to the detainee's demands to keep it quite. It feels like the only thing the Command wants is a quite camp. When you enforce the rules the detainees get mad and cause disturbances. At the end of the shift, the SOG will then have an after action review (AAR). He/she will tell us to use common sense when dealing with the detainees. It feels like we are being reprimanded for following orders and doing our jobs. (b)(3) (b)(6)

Continuation of voluntary sworn statement of

(b)(3) (b)(6) (b)(7)(C)

on June 15, 2006

We did not have someone assigned to walk the tier until around 2130 because someone is usually always out on the block. That day (b)(3) (b)(6) did the watch bill. I believe I was assigned to do my watch from (b)(2). Until my watch began I usually would be in the guard shack entering information into DIMMS. (b)(3) (b)(6)

At approximately 2030, the detainees began singing. They usually sing a few lyrics but that night they sung for 30-40 minutes. (b)(3) informed me that (b)(6) said they were singing an old Taliban death song. I made sure this incident was placed into DIMMS and an interpreter was called. The last time that I saw the three deceased detainees alive was approximately 2030 (b)(3) (b)(6)

The detainees had prayer around 2100 hours. To my knowledge no one performed a head count after prayer. The only time a head count occurs is at the beginning or at the end of a shift. The guards also perform a head count when they gain or lose a detainee from the block. Detainee Operations Center (DOC) orders three random headcount via the DIMMS system. This usually is for administrative purposes and no one physically goes out and performs a head count of each detainee. Who ever sees it pop up on the computer, usually performs it. I didn't log in any of the computerized DOC random head counts that night. (b)(3) (b)(6)

Between 2130-2200, I believe all of the detainees were in bed. I don't know exactly what I was doing but I know I was taking care of administrative functions. I was doing paperwork and updating the DIMMS. I also met with (b)(3) (b)(6) to discuss some of my DIMMS entries. I believe I was finished around 2300, then I went to chow. (b)(3) (b)(6)

I finished chow and reported back to Alpha block around 2345. My shift to walk the block was (b)(2). (b)(2) I relieved (b)(3) (b)(6) at 0000, and began my rounds of the cellblock. I didn't complete my rounds because (b)(3) (b)(6) stopped me and asked if I would trade shifts with him. I agreed to take the (b)(2) shift and (b)(3) took my shift. (b)(2) I returned to the guard shack and drunk coffee. Approximately 15-30 minutes later, (b)(3) came into the guard shack and asked me to come take a look at one of the cells. I left (b)(3) (b)(6) in the guard shack and followed him to cell A8. (b)(3) (b)(6)

Once I arrived at A8, I saw the mattress was curled against the cell wall. The mattress concealed the detainee and we couldn't properly see that he was moving. It appeared like the detainee was lying under his blue blanket motionless. I started calling A8, but he did not respond. I started calling his ISN number and he still wouldn't respond. I went to the guard shack at that time to get (b)(3) (b)(6). (b)(3) (b)(6) followed me and we began to call the detainee. The detainee didn't respond so (b)(3) reached in the bean hole and grabbed his blanket. (b)(3) pulled on it and called the detainee several times but he still did not respond. (b)(3) pulled the blanket away and we discovered it wasn't the detainee but comfort items under the blanket. The detainee fashioned the items under the blanket to imitate the shape of a body. When I saw that, I assumed the detainee was hiding or attempting to harm himself behind the blanket in the corner. I ran to the NCO shack and yelled (b)(2) to the other guards. I believe (b)(3) (b)(6) (b)(7)(C) followed us to cell A8. (b)(3) (b)(6)

We entered A8 and (b)(3) pulled the blanket aside. I saw the detainee hanging from what appeared to be a twisted sheets. I cut the detainee down while (b)(3) held him up. Once we got him down I could see that the sheet was wrapped around his neck and his hands appeared to be bound in front of him. (b)(3) (b)(6)

Continuation of voluntary sworn statement of

(b)(3):10 USC

on June 15, 2006

When we removed the stuff off his face we could see a bunch of white sheets crammed inside of his mouth. His fingertips were blue and he appeared to be lifeless. We placed him on a backboard and transported him to the medical unit. The detainee looked like he was dead. (b)(3)

Once we arrived at the medical unit, it appeared as if the medical personnel were not prepared. Some of them had their blouse tops off and they scrambled out of different rooms. We placed him on a bed while a female Captain put her blouse on. (b)(3) (b)(6) stayed at the medical unit and we all went back to the block. On the way back someone in the sally asked what was happening. I pulled my crew aside and told them that the detainee looked dead. I told them if he was dead, that's the first detainee death in Gitmo history. I told them that there would probably be an investigation and they shouldn't talk to anybody but the people on the block or investigators. I told them other MA's would be coming around being nosey and they should not talk about it because it might compromise the investigation. (b)(3)

We went back to Alpha block and we began to walk the tier checking the other detainees. I heard someone yelling at cell 12 trying to get the detainees attention. Shortly after that I heard someone yell (b)(2) I ran back to the shack to get the (b)(2) kit but we had already used it on A8. I returned to cell 12 and I saw people entering the cell. I don't know who all the people were but I remember (b)(3) (b)(6) state "it looks like he's gone". I did not enter the cell because there were already three people inside. I saw the detainee after he was cut down and he appeared lifeless. I can't remember too much about that detainee because I was in shock. I tried to hold it together and be a leader but the whole ordeal seemed like a nightmare. (b)(3):1

I got up and started to walk the tier and inspect the cells. I began to give the MASN's orders to check the cells. I went to cell 5 and I didn't see anyone inside. I saw the blanket hanging up like the other two cells so I began screaming for the detainee in cell 5. He did not respond so I screamed (b)(2) Several people ran to assist me at the cell. I entered the cell with two other MA's. I believe MASN (b)(3):10 USC being there. We removed the hanging sheet and discovered A5 hanging. I believe (b)(3):1 and me lifted the detainee up and (b)(3) (b)(6) (b)(7)(C) cut him down. We placed his body on the floor of the cell and it appeared as if he was lifeless. I don't remember seeing anything in his mouth or his hands or legs being bound. I shackled his legs and we placed him on a backboard. The other people on the tier took A5 to the medical unit. I don't remember seeing any medical personnel at the block at all. (b)(3):10

I continued to walk the tier after they removed A5. I went to talk to (b)(3):10 USC because it appeared like she was hyperventilating. I heard (b)(3):10 order us to instruct the detainees to remove everything off the cell walls. (b)(3):10 ordered us to make sure we had complete accountability of the rest of the detainees. Somebody told me to get a breather because I was visibly shaken by what had happened. I went to (b)(2) block and puked in the trashcan. (b)(3):10

I want everyone to know, I am proud of the way we handled the emergency situation that night. I believe (b)(3):10 USC handled herself extremely well under pressure that night. I believe the detainees on Alpha block knew this was going on and they encouraged them to commit suicide. I believed they plotted it and utilized our own rules against us. They found out how to get away with it and how to get over on us. The number one cause of the suicides was allowing the detainees to hang things in their cells and giving them so much extra gear. I would further like to add, I have expressed my disgust in (b)(3):10 USC §130b,(

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Continuation of voluntary sworn statement of

(b)(3) (b)(6) (b)(7)(C)

on June 15, 2006

our chain of command and policies that provided absolutely no protection for their guards. Policies that continued to make the job of a guard seem impossible. I expressed my feelings of how I believed the chain of command bred apathy in its guard force by continually giving in to detainee's requests. I expressed my feeling, utilizing my chain of command by starting at the Platoon Leader, which was (b)(3) (b)(6). I further requested to be transferred to a different Camp via a Request Chit. I got no closure on this matter from (b)(3) (b)(6) other than him seeming to agree with what I was saying. My request chit was denied and the matter was not spoken of again. (b)(3) (b)(6)

This statement, consisting of this page and 3 other page(s) was typed for me by myself and (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement (b)(3) (b)(6) (b)(7)(C) I acknowledge and believe. (b)(3)

Sig

Sworn to and subscribed before me this 15 day of Jun in the year 2006 at

NCIS RU GTMO

Witnessed: _____

(b)(7)(C)

Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

(b)(3) (b)(6)
(b)(7)(C)

Nothing Follows

awo

DELETED PAGE INFORMATION SHEET

Page(s) 961-962 Exhibit (12)

 Deleted under exemption(s) _____

Pages contain information furnished by other government agency(ies). We will advise you of releasability of information following consultation with agency(ies).

Comments: Referred to Criminal Investigation Task Force

NCIS

MILITARY SUSPECT'S ACKNOWLEDGEMENT AND WAIVER OF RIGHTS

Place: NCISRA GUANTANAMO BAY, CUBA

Date : June 14, 2006

I, (b)(3) (b)(6) (b)(7)(C) have been advised by (b)(7)(C) that I am suspected of failure to obey a direct order.

I have also been advised that:

- (b)(3) (b)(6) (b)(7)(C) 1) I have the right to remain silent and make no statement at all;
- (b)(3) (b)(6) (b)(7)(C) 2) Any statement I make can be used against me in a trial by court-martial or other judicial or administrative proceeding;
- (b)(3) (b)(6) (b)(7)(C) 3) I have the right to consult with a lawyer prior to any questioning. This lawyer may be a civilian lawyer retained by me at no cost to the United States, a military lawyer appointed to act as my counsel at no cost to me, or both;
- (b)(3) (b)(6) (b)(7)(C) 4) I have the right to have my retained lawyer and/or appointed military lawyer present during this interview; and
- (b)(3) (b)(6) (b)(7)(C) 5) I may terminate this interview at any time, for any reason.

I understand my rights as related to me and as set forth above. With that understanding, I have decided that I do not desire to remain silent, consult with a retained or appointed lawyer, or have a lawyer present at this time. I make this decision freely and voluntarily. No threats or promises have been made to me.

Signature

(b)(3) (b)(6) (b)(7)(C)

Date & Time:

1003, 14JUN06
1152 15JUN06

(b)(3) (b)(6) (b)(7)(C)

Witnessed

(b)(7)(C)

Statement follows

(b)(3) (b)(6) (b)(7)(C)

Place : NCISRA GUANTANAMO BAY CUBA

Date : June 15, 2006

I, (b)(3) (b)(6) (b)(7)(C), make the following free and voluntary statement to (b)(7)(C) (b)(3) (b)(6) whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the death of three detainees in Alpha Block.

For informational purposes, (b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) (b)(7)(C)

On 9 JUN06, I was assigned guard duty in Alpha Block, Camp 1, of the Camp Delta Detention Facility. I was assigned to work from (b)(2) 10 JUN 06. The Platoon Leader (PL) was (b)(3) (b)(6) and the Sergeant of the Guard that night (b)(3) (b)(6) (b)(7)(C). My block Non-Commissioned Officer (NCO) was (b)(3) (b)(6) and the other guards working with me were (b)(3) (b)(6) (b)(7)(C). I am NCO Qualified along with (b)(3) (b)(6) (b)(7)(C).

Our platoon formed up for Guard Mount at the (b)(2) at approximately 1715. (b)(2) (b)(2)'s rest area next to the Detainee Clinic. It has a camo cover for shade and this is where we meet prior to assuming the watch. At Guard Mount, we receive our assignments for that day and any changes of Guard Mount Messages and brief of that days events as it would effect our watch are relayed to us.

From there, we proceed to our watch stations and those personnel assigned to the Force Cell Extraction Team go to (b)(2) to check our gear. (b)(3) (b)(6) (b)(7)(C) from my watch are assigned to this team. I arrived at Alpha block at approximately (b)(2) and we assumed the watch at around (b)(2) after a positive head count and inventory was conducted. All detainees were present and accounted for at that time. We were advised the Shower and Recreation area was closed for the detainees due to thunderstorms being in the area.

At approximately, 1800-1900 all of us served meals to the detainees. It normally takes about two hours from the time meals are issued to the time we finish trash pickup, which includes accounting for the detainees clamshell dish and spork. Detainees are allowed to have two non-perishable items in their cell. This can be two juices, one milk and cereal as long as they are closed containers. When handing out the food, (b)(6) only took his milk. This was out of the ordinary because he stated me me that when the block is upset, he gets a stomachache and does not eat. We asked him why he was not eating and he did not say anything. Normally (b)(6) talks to us a lot but this night, he only stared at us without saying anything. Detainees 93, 588 and 693 ate all their meals.

~~SECRET NOFORN~~

Continuation of voluntary sworn statement of

(b)(3) 10 USC §130b (b)(6)

on June 15, 2006

After the meals, there was detainee prayer call. This is normally after 1900. The prayer times are posted on the blocks and the call to prayer goes over the loudspeakers. The detainees normally start their prayers 10-15 minutes after that. Someone on the block will ask that we put out the prayer cone and then someone will lead the prayers. Following the first prayer call, we picked up trash and it was taken off the block. The detainees sang after prayer call until the second prayer call that happens about 2105-2120. They sang again until about 2125-2130 I started sweeping from the rear end of the cell block toward the front when they started singing for the second time. I swept and finished sweeping before they stopped singing. (b)(3) (b)(6) got all the numbers of the detainees who were not singing and who was leading the songs. I am positive that all three detainees were alive when I completed sweeping. This would have been shortly before 2130. I also saw that 0093 in cell A-8 had a sheet tied up that covered the left corner of his cell. This is very normal as the detainees only get to change their blanket once a month. They are allowed to wash their blankets and hang them up as long as they do not obstruct the view inside the cells. I went to the guard shack from there.

The guards were assigned watches for (b)(2) intervals. This night they were:

(b)(2)

(b)(3) (b)(6) (b)(7)(C)

It is my understanding that (b)(3) (b)(6) changed watches with (b)(3) (b)(6)

I walked the tier between cells from (b)(2) I looked in all the cells as I walked by. I always start on the left side walking from 1 - 24 and come back on the right side from 25-48. One if not both of the detainees in A-5 and A-12 were on the floor covered with a sheet. I do not remember looking at their bed since I did see one or both on the floor. I looked in cell A-8 and saw what I believed to be him sleeping in his bed under a blanket. We are not allowed to wake the detainees according to the SOG so I did not try to get his attention. He had a blanket tied across the corner of his room stretching from his window to the other cell wall. The view of his sink was covered but this is acceptable practice because the blanket did not restrict the view inside the cell from the tier.

During my (b)(2) watch, (b)(3) (b)(6) (b)(7)(C) did a walk-through. I was approximately in the middle of the tier when they arrived. They came up behind and passed me. They walked to the end of the tier, turned around and walked back toward the guard shack. I do not know if they looked into each cell and by the time they passed me, they had passed cells A-5, A-8 and possibly A-12.

I was relieved at 2330 by (b)(3) (b)(6) I went to mid-rats with (b)(3) (b)(6) (b)(7)(C) and I returned to Alpha Block at around 2340. Upon returning, I went into the guard shack and (b)(3) (b)(6) was there. I sat down for about 2 minutes and (b)(3) (b)(6) came in shouting something isn't right, (b)(2) (b)(2) I opened up the kit and retrieved (b)(2) and gave (b)(3) (b)(3) the shears. We both ran out to A-8. (b)(3) (b)(6) (b)(7)(C) were pounding on the door trying to get ISN 93'S attention. (b)(3) (b)(6) opened the bean hole hesitantly not knowing if 93 was

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on June 15, 2006

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planning to grab him. (b)(3):10 USC told not to put our hand in the bean hole while the detainee is sleeping. (b)(3):10 USC recently got 3 counseling chits for waking up detainees at night because she couldn't see the skin. Also, detainees have been faking code (b)(2) in order to assault the guards. (b)(3):10 USC opened the beanhole and yanked the blanket off the rack. Under it were clothes that had been put there to represent a human form. I opened A-7, which was empty and (b)(3):10 and I jumped on the bed and tried to get a visual of where 93 was. (b)(3):10 was able to push the sheet aside and saw him hanging by his neck. We jumped down and I unlocked A-8 and (b)(3):10 went in first followed by (b)(3) (b)(6) (b)(7)(C) grabbed 93 and picked him up and HUNT cut the braided rope made from sheets from the cell wall. We carried 93 out of the cell and placed him on the deck of the tier. Someone put arm shackles on him and I put leg shackles on. I observed (b)(3):10 USC try to pull (b)(3) sheet from 93's mouth but they were not able to. (b)(3):10 got a backboard and (b)(3) and (b)(3) tried to obtain a pulse but there was none. I saw what appeared to be urine spots on the front of 93's pants. His fingers were discolored a light blue. His eyes were wide open and his face was not discolored. I touched him and he was cool. We transported 93 to medical and when we got there we pounded on the door. I opened the door and screamed "we got something serious". People were casually walking out of random rooms and slowly putting on their stab vests and blouses. They didn't even know what room to put him in. They appeared to be more interested in just looking at him than trying to help. I told them they needed to remove the rag from his mouth and that we had already tried. (b)(3) (b)(6) told us to get back to Alpha Block. I ran straight to the block. (b)(3) (b)(6) and (b)(3) brought two more backboards from medical to Alpha Block.

Upon arriving back at Alpha Block, I ran down to A-12 and opened the door because (b)(3):10 said the detainee was not in his cell. I don't know who took the detainee down but I think I used the shears to cut him down. I do remember 588 having a mask made from sheets that was in his mouth and wrapped around his head. (b)(3) (b)(6) helped me take the mask from his head. I did not get a good view as there were a lot of people in the cell working on 588. I said someone needs to walk the block and I was told to walk toward the end of the tier when I heard Alpha 5. I ran that way and shouted five is down. There were escorts there so I opened the door. Someone shouted we need shears so I ran to (b)(2) Block and when I got back, detainee 693 had already been cut down and was ready to be transported to medical. I began walking to tier looking for others. I told all the detainees to take down anything hanging and woke them all up.

I am not surprised this incident happened and it could have been prevented. We guards have complained to our chain of command that the detainees should not be allowed to have anything hanging in their cells but we were only allowed to instruct them to remove items from the door. In March 2006, (b)(3) (b)(6) CAMP 1 AOIC told us at evening Guard Mount that "The SOP is only a guideline and to use common sense and to not take anything from the detainees that wasn't necessary like extra sheets, blankets, linen and food and to not disturb them".

This statement, consisting of this page and 3 other page(s) was typed for me by (b)(3) (b)(6) (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief.

(b)(3):10 USC §130b (b)(6) (b)(7)(C)

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966

Continuation of voluntary sworn statement of

(b)(3) (b)(6) (b)(7)(C)

on June 15, 2006

SECRET NOFORN

Sworn to and subscribed before me this 15th day of June in the year 2006 at

Witnessed: (b)(7)(C)

Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

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DELETED PAGE INFORMATION SHEET

SECRET NOFORN

MILITARY SUSPECT'S ACKNOWLEDGEMENT AND WAIVER OF RIGHTS

Place: NCISRU Guantanamo Bay, Cuba

Date : June 14, 2006

I (b)(3) (b)(6) (b)(7)(C) have been advised by (b)(7)(C) that I am suspected of providing a false official statement.

I have also been advised that:

- (b)(3) (b)(6) (b)(7)(C) (1) I have the right to remain silent and make no statement at all;
(b)(3) (b)(6) (b)(7)(C) (2) Any statement I make can be used against me in a trial by court-martial or other judicial or administrative proceeding;
(b)(3) (b)(6) (3) I have the right to consult with a lawyer prior to any questioning. This lawyer may be a civilian lawyer retained by me at no cost to the United States, a military lawyer appointed to act as my counsel at no cost to me, or both;
(b)(3) (b)(6) (4) I have the right to have my retained lawyer and/or appointed military lawyer present during this interview; and
(b)(3) (b)(6) (5) I may terminate this interview at any time, for any reason.

I understand my rights as related to me and as set forth above. With that understanding, I have decided that I do not desire to remain silent, consult with a retained or appointed lawyer, or have a lawyer present at this time. I make this decision freely and voluntarily. No threats or promises have been made to me.

(b)(3) (b)(6) (b)(7)(C)

Signature

Date & Time:

14 JUN 06 1030

Witnessed:

(b)(7)(C)

Statement is attached

(b)(7)(C)

Statement is attached

SECRET

NOFORN

Page 1 of 1

Place : NCISRU Guantanamo Bay, Cuba

Date : June 14, 2006

(b)(3)
(b)(6) (b)(3) (b)(6) (b)(7)(C) make the following free and voluntary statement to (b)(7)(C)
(b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the hanging (b)(3) (b)(6) deaths of three detainees within Camp Delta, Camp 1, Alpha Block, who were discovered on 10Jun06 (b)(7)(C)

(b)(3)
(b)(6) For the purpose of identification (b)(3) (b)(6) (b)(7)(C)
(b)(3) (b)(6) (b)(7)(C)

(b)(3)
(b)(6) For background I arrived at JTF-GTMO on 03Dec05 for a one year assignment and am scheduled to depart sometime in Dec06. I had just returned from emergency leave on 03Jun06 and had worked on 04Jun06, 05Jun06, and 08Jun06 prior to reporting for duty on 09Jun06 (b)(3) (b)(6)

(b)(3)
(b)(6) On 09Jun06, I departed (b)(3) (b)(6) (b)(7)(C) on a bus at approximately 1645 headed for the Camp Delta bus stop. I arrived at Camp Delta at approximately 1700. Camp 1 night shift personnel mustered at the (b)(2) upon arrival. The (b)(2) is located next to the Detention (DET) Clinic. (b)(3) (b)(6) (b)(7)(C) all put out information during the muster. At the muster I was told what block I was going to be working that night. I was informed I would be on Alpha block with (b)(3) (b)(6) (b)(7)(C)
(b)(3) (b)(6) I had been working with both (b)(3) (b)(6) (b)(7)(C) on the same team. I am a primary member of the Emergency Response Force (ERF) as is (b)(3) (b)(6) and we went directly to (b)(2) to check on our gear. (b)(3) (b)(6) (b)(7)(C) went straight to the Alpha block. We relieved the Day shift. An oncoming team guard conducts a head count. The inventory of supplies is also checked between the outgoing and oncoming teams. Once everything checks the day shift left. (b)(3) (b)(6) (b)(7)(C)

(b)(3)
(b)(6) I was involved with (b)(3) (b)(6) in distributing the meals to the detainees between 1853 and 1900. (b)(3) (b)(6) took care of Cell (b)(2) and I took care of Cells (b)(2) The reason for this was that the detainee in Cell (b)(2) claims to be non-Muslim and likes to harass women. After we had walked through and passed out the meals, we went back by and provided extra food to any detainees who wanted some. (b)(3) (b)(6) (b)(7)(C)

(b)(3)
(b)(6) At approximately 2016, the detainees began to sing after prayers. (b)(3) (b)(6) and I were cleaning the tier in Alpha block, at that time. She was sweeping and I was mopping. We met in the middle of the block and I told her not to let the detainees see that the singing bothered her. (b)(3) (b)(6) told us to stop the cleaning. I think we had been cleaning for about 20 minutes when we stopped. During this time I recall the detainee in cell A-8 squirting his blanket with water as if he was washing it. This singing was very unusual. The only times I have heard singing in the past was when something bad happened. The last time I remember the singing was several months ago when the detainees rioted for (b)(3) (b)(6) (b)(7)(C)

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(b)(3) (b)(6) (b)(7)(C)

on June 14, 2006

(b)(3)
(b)(6)
(b)(7)(C) about a week. There were a number of detainees who were staring at me, while I was on the block cleaning. Some were pacing in their cells as well. They sang until the next call to prayer. (b)(3) (b)(6) (b)(7)(C)

(b)(3)
(b)(6)
(b)(7)(C) The Headcount that is recorded in the DIMS at 2017 is generated by the DOC. They send us a message that says headcount random. One of the block personnel then types in "staff (space) = (space) the # of guards assigned and then hits enter twice. If someone is at chow or the bathroom at the time the information is entered it would not be reflected in the random headcount. There is one guard assigned to be on the tier at all times walking past the cells. Currently we are doing this in (b)(2)
(b)(2) On 09Jun06, we did not have any detainee movements during the night. (b)(3) (b)(6) (b)(7)(C)

(b)(3)
(b)(6)
(b)(7)(C) We have to have at least 3 guards on the block at all times, but only one had to be on the tier walking. I walked a shift on the block between (b)(2) During this time I mopped up some puddles. I reminded the guards about turning off one side of the lights, which was the SOP on the night of the hangings, for night shifts. I can't say whether or not the three detainees who hung themselves were alive or dead when I walked through on the (b)(2) shift. I stopped and looked in each cell, but didn't see anything out of the ordinary. However, we as guards were not allowed to yell at the detainees, bang on the cell, or make them take there blankets of the walls. We were not allowed to carry flashlights on the tier, because the light might bother the detainees. As far as the blankets and sheets being hung up in the cells, we were told that they could hang items up after they washed them to dry, as long as they were not hanging any items on the doors to the cells. Between half the lights being off, no flashlights and the blankets and sheets being hung up it makes the blocks very dark at night especially difficult to see in the cells on the dark side of the block, where the overhead lights have been turned off. We have brought this up to the chain of command about all the restrictions put upon us to keep the detainees happy and that something was going to happen because we don't have any control. There is no way that one block guard can be accountable for 30 or more detainees. Since the hangings now the command has decided to have (b)(2)

The detainees are now issued their blankets at 2200 and they are retrieved no later than 0500 the next morning. This was not being done before the incident. We were not allowed to have flashlights while we walked the tier prior to the hangings nor were we allowed to bang on the cells. We had been told we are not supposed to wake the detainees. I know other guards who had been given counseling chits for waking up detainees. (b)(3) (b)(6) is a guard who got counseled. At 2230, (b)(3) (b)(6) told me I could make a telephone call next door at (b)(2) (b)(3) (b)(6) told me to be back a little before 2300 so that (b)(3) (b)(6) and I could go to chow. We normally went first because we were primary ERF members. (b)(3) (b)(6) and I walked to chow at the Caribbean Café inside Camp Delta and came back about 45 minutes later. (b)(3) (b)(6) went back to the block first while I stopped to talk to (b)(3) (b)(3) at Delta block about my leave request. I returned to Alpha block at about 2355, apologized to (b)(3) (b)(6) (b)(7)(C) for being late. (b)(3) (b)(6) had already gone to chow by the time I returned. (b)(3) (b)(6) and I were at the Guard shack and (b)(3) (b)(6) was walking the tier between (b)(2), 10Jun06. At 0030 (b)(3) (b)(6) took over the next shift (b)(2) I got word from the Sergeant of the Guard (SOG) to come talk to him after 0100 about my leave chit. I went to (b)(3) (b)(6) and switched with him on the shift at approximately 0036. (b)(3) (b)(6)

(b)(3)
(b)(6) I started at cell (b)(2) and proceeded down one side of the cellblock towards cell (b)(2) then turned and came up the other side from cell (b)(2) On night shift we alternate each night which bank of overhead lights is going to be on. On 09-10Jun06, the lights were on over the cells on the (b)(2) (b)(6)

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Continuation of voluntary sworn statement of

(b)(3) (b)(6) (b)(7)(C)

on June 14, 2006

(b)(3)

(b)(6)

(b)(7)(C)

(b)(3) (b)(6) (b)(7)(C) 8 side of the tier. My normal practice is to go down one side then back up the other. I do not like to go back and forth across the tier. I stopped at cell A-(b)(2) cause he had a sheet over his head. I tapped lightly on his bean hole and asked him to take down his sheet so I could see his head. He complied with my request. I also stopped at cell A-(b)(2) cause he was lying on his stomach. I stayed there for about 45-60 seconds until I could be sure he was moving. When I got to cell A-8, I could see the outline of legs and a torso under a blue blanket, but the detainee had a green mattress up towards the tier blocking the view of his head in the bunk. I noticed another blue blanket hanging up in the corner blocking the sink from my view. I knelt down, but could not see any feet below the blanket. I climbed up some on an empty cell A-7 and saw that a sheet was blocking the view of the corner of cell A-8 where the blanket was hanging. I ran and got M (b)(3) (b)(6) (b)(7)(C) who came back with me and he began to bang on cell A-8. We still got no response. I ran to get (b)(3) (b)(6) (b)(7)(C) was there with him. As (b)(3) (b)(6) (b)(7)(C) and I were running back towards (b)(3) (b)(6) (b)(7)(C) he had opened the bean hole and pulled the blanket off the bunk and started yelling "(b)(2)" which means a suicide. There were towels and clothes on the bunk. (b)(3) (b)(6) (b)(7)(C) went to look inside the window from outside cell A-8 and started yelling "he's hanging, he's hanging". (b)(3) (b)(6) (b)(7)(C) opened the cell door and MA1 (b)(3) (b)(6) (b)(7)(C) and myself rushed into the cell. (b)(3) (b)(6) (b)(7)(C) pulled the blanket down and I saw the detainee hanging fully suspended off the floor of his cell. (b)(3) (b)(6) (b)(7)(C) lifted the detainee up to ease the weight and they couldn't cut the material at first. I pulled at it and got a little slack and they were able to cut it and we got the detainee down out of the cell where we put zip ties on his wrists and ankles, put him on a stretcher and headed out of Alpha block in about a minute and a half. The detainee had urinated on himself and his eyes were wide open and white. The detainee was wearing tan pants and shirt. He was barefoot. I do not remember any bindings around his ankles. The detainee was totally upright against the cell wall between cells A-8 and A-7, next to the sink. (b)(3) (b)(6) (b)(7)(C)

NAS b2

(b)(3) (b)(6) (b)(7)(C) The detainee had his hands bound in front of his body and intricate bindings around his head. I could see his eyes and cheeks, but there was material I believe was from torn sheets across his forehead, and under his chin and over his mouth. There was material jammed into his mouth. (b)(3) (b)(6) (b)(7)(C) told me later he was the one who cut down the detainee. He also checked for pulse, but didn't find any to my knowledge. The detainee from cell A-8 had some light purple on his fingertips. Based on what I observed I would think that the detainee in cell A-8 had been dead at least 30-40 minutes, before I found him. (b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) (b)(7)(C) When we got to the DET Clinic, we had to beat on the door to get someone to answer. I helped put the detainee on a bed in the clinic and the staff seemed to just stare at first like they didn't know what to do. I heard snowball get yelled again and got two stretchers from the DET Clinic. (b)(3) (b)(6) (b)(7)(C) carried one stretcher and I carried the other. When I got back to Alpha block cell A-12 detainee was gone and I started helping with the detainee in cell A-5. I don't remember much about the detainee in cell A-5, but I do believe his eyes were wide open. I did not touch his body. (b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) (b)(7)(C) One interesting thing I remember and (b)(3) (b)(6) (b)(7)(C) also noticed it was that on 09Jun06 and on the 1st day that the riots started several months ago the detainee in cell A-48 refused to eat. He stated to MA3 (b)(3) (b)(6) (b)(7)(C) the first time this happened that he gets stomach aches when something bad is going to happen. (b)(3) (b)(6) (b)(7)(C)

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Continuation of voluntary sworn statement of

(b)(3) (b)(6) (b)(7)(C)

on June 14, 2006

(b)(3) (b)(6)
(b)(7)(C)

his statement, consisting of this page and 2 other page(s) was typed for me by (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief.

(b)(3):5 USC §574(j)

(b)(3) (b)(6)
(b)(7)(C)

Signature:

Sworn to and subscribed before me this 14 day of JUNE in the year 06 at 1728 HI

Witnessed:

(b)(7)(C)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

16JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF RE-INTERVIEW OF (b)(3) (b)(6)
(b)(7)(C)

1. On 16Jun06, Reporting Agent (RA) re-interviewed (b)(3) (b)(6) (b)(7)(C) LOPEZ at NCISRU Guantanamo Bay, Cuba. Before questioning, (b)(3) (b)(6) (b)(7)(C) was reminded of his rights to remain silent and to refer to an attorney. (b)(3) (b)(6) advised he understood his rights and wanted to talk to RA.
2. Regarding the DIMS headcount entry made at 2350 hours, (b)(1) said he did not make the entry and did not know who did. He said the only entry he made in DIMS on 09Jun06 was at the beginning of his shift regarding the detainee in cell A25. Further, (b)(3) (b)(6) said he was not on A-Block at (b)(2) hours; he came back late from chow around 2355 hours after stopping to see (b)(3) (b)(6) at D-Block.
3. (b)(3) (b)(6) was also asked about the last time he saw any of the detainees alive. He specifically remembered seeing the detainee in A8 washing his blanket around (b)(2) hours, when he was mopping the block with (b)(3) (b)(6) (b)(7)(C) took note of A8, because they had "gotten into it" before. When he walked the block at (b)(2) hours, (b)(3) (b)(6) did not take note of anything out of place in cells A5, A8 or A12. But, he knew he conducted a thorough walk-through, because he remembered specifics about detainees in other cells.
4. (b)(3) (b)(6) had no other new information to report.

REPORTED BY: (b)(7)(C) Special Agent
OFFICE: NCISFO Washington, DC

EXHIBIT (16)

FOR OFFICIAL USE ONLY

WARNING

Page 1

LAST

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NAVAL CRIMINAL INVESTIGATIVE SERVICE

DELETED PAGE INFORMATION SHEET

Page(s) 978-980 Exhibit (17)

withheld entirely at this location. One or more of the following explain this decision:

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agency(ies). We will advise you of releasability of information
following consultation with agency(ies).

Comments: Referred to the
Criminal Investigative
Task Force

Deleted pages(s)
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MILITARY SUSPECT'S ACKNOWLEDGEMENT AND WAIVER OF RIGHTS

Place: NCIS GTMO

Date : June 14, 2006

I, (b)(3) (b)(6) (b)(7)(C) have been advised by Special Agent (b)(7)(C) that I am suspected of False official statements, UCMJ Article 107

I have also been advised that:

(1) I have the right to remain silent and make no statement at all; (b)(3)

(2) Any statement I make can be used against me in a trial by court-martial or other judicial or administrative proceeding; (b)(3)

(3) I have the right to consult with a lawyer prior to any questioning. This lawyer may be a civilian lawyer retained by me at no cost to the United States, a military lawyer appointed to act as my counsel at no cost to me, or both; (b)(3) (b)(6)

(4) I have the right to have my retained lawyer and/or appointed military lawyer present during this interview; and (b)(3)

(5) I may terminate this interview at any time, for any reason. (b)(3) (b)(6)

I understand my rights as related to me and as set forth above. With that understanding, I have decided that I do not desire to remain silent, consult with a retained or appointed lawyer, or have a lawyer present at this time. I make this decision freely and voluntarily. No threats or promises have been made to me. (b)(3) (b)(6) (b)(7)(C)

Signature

Date & Time

Witnessed:

Place : NCISRU GTMO

Date : June 14, 2006

I, (b)(3) (b)(6) (b)(7)(C) make the following free and voluntary statement to (b)(7)(C) (b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the suicides that occurred in Camp Delta on 09 June 2006. (b)(3)

For identification purposes (b)(3) (b)(6) (b)(7)(C)
(b)(3) (b)(6) (b)(7)(C)

On 09Jun06 at (b)(2) I reported to Camp Delta for guard mount. At the beginning of the shift (b)(3) (b)(3) called the blocks off and assigned my position on Alpha block. My NCO was (b)(3) (b)(6) and my fellow block guards were (b)(3) (b)(6) (b)(7)(C). We were posted and the shift went to go to their blocks. (b)(3) (b)(6)

I arrived on Alpha block at approximately 1735, and I believe I was the person that was assigned to perform the headcount. I proceeded to conduct a headcount and all of the detainees were accounted for. After the head count I informed (b)(3) (b)(6) there was 28 detainees accounted for. I made sure that all of the detainees were alive and moving at that time. I talked to the off going shift to see if there were any problems with the detainees. I went down to cell (b)(2) and talked to the (b)(6) (b)(6). We had a short conversation that lasted approximately 10-15 minutes. While talking to him I visually inspected the courtyard. (b)(3) (b)(6)

The detainees were served chow at approximately 1830. I assisted the other Master at Arms with serving each detainee chow at that time. The only thing unusual that I witnessed was (b)(6) was in a somber mood and he only accepted milk for chow. (b)(6) also refused chow and only accepted milk. When we were finished with chow, I entered the suspicious incident into the DIMMS system. (b)(3) (b)(6)

After serving the food to the detainees, the all of alpha block crew met outside of the guard shack towards the Sallys. We ate some of the extra food that the detainees did not want and had a short conversation, which last approximately 10 minutes. No one was watching the detainees at that time. I collected all of the food and trash after the detainees finished eating. (b)(3) (b)(6)

Around 1900, the detainees received the call for prayer. (b)(3) (b)(6) instructed me to talk to (b)(6) so he wouldn't disturb the others while they prayed. I spoke to (b)(6) while the others prayed. I left the block for approximately 10-15 after that to phone my wife. While talking to my wife I heard the detainees singing. I recognized the song but did not think anything of it because I had heard it many times before from this particular block. (b)(3) (b)(6)

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Continuation of voluntary sworn statement of

(b)(3) (b)(6) (b)(7)(C)

on June 14, 2006

I returned to the block and I went into the guard shack. (b)(3) (b)(6) (b)(7)(C) was entering information regarding the singing into the DIMMS system. While the detainees were still singing, I went out to walk the block and I noticed (b)(2) cell door come to the front of the cell, rip his prayer rug down and singing Yahoo Day directly at me. This was the first time this happen and it seemed odd but I thought nothing of it. I talked to (b)(2) and he informed me the detainees were singing a Taliban song and that "yahoo day" meant something like "kill them all" (b)(3) (b)(6)

In the middle of the singing there was another call to prayer. The detainees immediately stopped singing but none of the detainees prepared to pray. This seemed very odd to me but I didn't think any thing of it because some of the blocks don't pray right away when the call to prayer proceeds. After the conclusion of the call to prayer over the load speaker, the detainees began to sing again. Even the detainees that committed suicide were singing. When they had finished singing their song they proceeded to pray (b)(3) (b)(6)

Between 2130-2145, all of the detainees were in bed except (b)(2). Although I was on the block, I was not visually looking into each and every cell. I can not say definitively that any of the detainees had sheets hanging in there cells or that one of them committed suicide at that time. No one had ordered a head counts that day except for the one that I performed at the beginning of the shift. (b)(3) (b)(6)

The next time I had watch was between (b)(2). During this time I walked the entire block. From (b)(2) I made sure that I saw every detainees skin. From (b)(2) I did see each of the detainees skin. When I arrived at A12, I saw a blue blanket on the floor. The blanket appeared to have something or someone under it so I proceeded on. I interpreted this to be the detainee lying underneath it. I did not visually scan the cell to see if anything or anyone was hanging inside. I proceeded past (b)(2) but I didn't look in any of the cells because I was thinking about the blanket on the floor in A12. I continued to walk the block until my shift was over but I didn't look in each individual cell each time I passed them (b)(3) (b)(6)

My relief was (b)(3) (b)(6) at 2300. I went into the guard shack and started to read my video game magazine. (b)(3) (b)(6) (b)(7)(C) entered the guard shack so I closed my magazine. I walked out and went to chow at approximately 2345 (b)(3) (b)(6)

I went to chow but I decided to call my wife before eating. We talked for approximately 20 minutes. I went to chow and got a plate to go then I headed back. On the way back, I saw (b)(3) (b)(6) and I gave her my plate to take back to the guard shack. (b)(3) (b)(6) (b)(7)(C) did not alert me that anything had occurred on the block unusual while she was on duty. After taking a dip, I walked towards sally 4. While in the sally, (b)(3) (b)(6) began running from within the camp to sally 4 screaming someone is hanging on alpha block (b)(3) (b)(6)

I exited the sally and ran to Alpha block. I ran on the block and I saw (b)(3) (b)(6) (b)(7)(C) and (b)(3) (b)(6) outside of cell A8. When I arrived, A8 was already cut down and shackled on the tier. A8 had something (b)(7)(C) and something white around his neck. His hands and body looked as if rigor mortis had set in. I didn't see anything on his hands or legs other than the shackles. (b)(3) (b)(6) attempted (b)(7)(C) but he could not. We placed A8 on a backboard and transported him to the medical unit (b)(3) (b)(6)

Page 2 of (b)(3)

NCIS 5580/26 (1/2001)

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Continuation of voluntary sworn statement of

(b)(3) (b)(6) (b)(7)(C)

on June 14, 2006

When we arrive at the medical unit, the Doctors appeared to be unprepared. They were coming out of different rooms placing on their outer shirts. We placed A8 on the bed but the Doctors and corpsmen did not administer care to him for approximately 2-3 minutes due to the fact that they were getting dressed. I believe there was nothing that they could have done for A8 but I felt the Doctors and corpsmen should have been more alert than they were. (b)(3) (b)(6)

I walked back to the block with (b)(3) (b)(6) (b)(7)(C) said that a lot of detainees have attempted suicide, but this is the first one that succeeded. He said the suicide happen on our watch and we are going to be under investigation for this. He further told us not to speak to anyone about what had happen that night. (b)(3) (b)(6)

We returned to the block but (b)(3) (b)(6) stayed outside of Alpha block sally. He appeared to be in shock. I walked back to the tier and (b)(3) (b)(6) requested my assistance at cell 12. We tried to get A12 attention but he would not respond. I went around the rear of the cell and I saw a pair of hands dangling from the air through a small crack in the window. I ran to the front of the cell while screaming (b)(2) (b)(3) (b)(6) (b)(7)(C) met me at the front of the cell. (b)(3)

(b)(3) unlocked the cell and we entered. After entering the cell, I removed the blanket that covered the back left off the cell. Once the blanket was removed, I saw A12 hanging. Someone grabbed him and lifted him up while (b)(3) cut him down. I am not sure but someone might have dropped him while putting A12 on the floor because I heard a loud bang. I noticed that A12 had urinated and defecated on himself. I cannot remember if his hands or his legs were bound. All I could remember is that rigor mortis had set into his feet and that his feet were also very cold. We had to wait approximately 2-3 minutes for (b)(2), (b)(7) I heard in the background someone yell, check on cell A5. (b)(3)

We finally got A12 (b)(2), (b)(3) and on a backboard. We ran him all the way to the medical unit for treatment. After getting A12 inside, we placed him on a bed in a separate room and left. While leaving the medical unit, I saw A5 being brought in too. He was on a backboard lying motionless. I could not tell if his legs or hands were bound. (b)(3)

I went back to the block and I made a physical head count of every detainee there. Every detainee was alive and moving. As I was coming by for my second check I heard someone yell "tell the detainees to take everything down and fold it up". I didn't see anything else hanging in or on any other of the detainee's cells. I immediately instructed the detainees to do so, but there was nothing hanging up for them to take down. (b)(3) (b)(6)

I feel that the guards and myself on Alpha block did an inadequate job monitoring the detainees that night to make sure that they were following the rules as to show some kind of skin while sleeping. I feel this happens with everyone on every block, everyday. We see and do the same things every day, and it gets old and boring. I wish I would have been more attentive and could have done something to save the detainees. I don't know if the detainees died on my watch, but I somehow feel responsible for their deaths. (b)(3) (b)(6)

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~~NOFORN~~

Page 3 of 4 (b)(3)

SECRET

NOFORN

Continuation of voluntary sworn statement of

(b)(3) (b)(6) (b)(7)(C)

on June 14, 2006

From the time that A8 was discovered, to the time that the whole situation was over, I feel that each of us that were involved did an extreme duty without ever experiencing something like this before. From what I can think of, we did things by the book on how to assess this kind of situation, and see nothing wrong about our performance as to the situation. (b)(3)

This statement, consisting of this page and 3 other page(s) was typed for me by (b)(3) (b)(6) and (b)(7)(C) we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief. (b)(3) (b)(6) (b)(7)(C)

Signature: _____

Sworn to and subscribed before me this 14th day of JUNE in the year 2006 at

1715 HRS

Witnessed: _____

(b)(7)(C)

Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

NOTHING FOLLOWS

985

~~SECRET~~ ~~NOFORN~~

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

17JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF RE-INTERVIEW OF (b)(3) (b)(6)

1. On 16Jun06, Reporting Agent (RA) re-interviewed (b)(3) (b)(6) at NCISRU Guantanamo Bay, Cuba. Before questioning, MASA (b)(3) (b)(6) was reminded of his rights to remain silent and to refer to an attorney. (b)(3) (b)(6) advised he understood his rights and wanted to talk to RA.

2. Regarding the DIMS headcount entry made at 2350 hours, MASA (b)(3) (b)(6) said he did not make the entry and didn't remember anyone doing the headcount. He said the only entry he made in DIMS on 09Jun06 was regarding meal refusals by A48 and A15 after he distributed chow at 1830 hours. Further, (b)(3) (b)(6) said he was not on the block at 2350 hours; he said he was at chow. According to MASA (b)(3) (b)(6) (b)(7)(C) returned from dinner around 2345, and he went to eat right after they returned.

3. (b)(3) (b)(6) was also asked to about his observation that all the detainees but (b)(2) were in bed at 2130-2145 hours. (b)(3) (b)(6) said (b)(2) asked to talk to him, and when he walked down the tier, the block was quiet. He said none of the detainees were sitting up, moving or talking in their cells, and he assumed they were all asleep. However, he did not pay close attention to any specific cell.

4. (b)(3) (b)(6) (b)(7)(C) had no other new information to report.

REPORTED BY: (b)(7)(C), Special Agent
OFFICE: NCISFO Washington, DC

~~SECRET~~ ~~NOFORN~~

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LAST

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EXHIBIT (19)
984

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

10JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF INTERVIEW OF (b)(3) (b)(6) (b)(7)(C)

Please note the original transmission(s) of this IA contained errors in the "Header" portion. Any previous transmissions of this IA should be destroyed. This transmission supercedes all others and contains revised "Header" information.

NARRATIVE

1. In the early morning hours of 10Jun06, three detainees were found hanging inside Alpha Block of Camp 1 at Camp Delta, Joint Task Force Guantanamo Bay, Cuba. Reporting Agent (RA) interviewed (b)(3) (b)(6) (b)(3) (b)(6) at Camp Delta, Bldg 1, regarding his knowledge of the circumstances surrounding the discovery of V/AL TABI (ISN 588), hanging inside Alpha Block cell A-12, during the early morning hours of 10Jun06.
2. For background (b)(3) (b)(6) (b)(7)(C) (b) hour shift commenced at approximately 1700, on 09Jun06. (b)(3) (b)(6) was assigned on his shift to work on (b)(2) as a Block Guard.
3. (b)(3) (b)(6) (b)(7)(C) reported between 0001-0030, on 10Jun06, he heard the call go out over the radio for (b)(2) (b)(3) (b)(6) (b)(7)(C) indicated (b)(2) is the code word for a suicide attempt. (b)(3) (b)(3) (b)(6) (b)(7)(C) had just returned from chow and he and (b)(3) (b)(6) ran from (b)(2) to Alpha Block. (b)(3) (b)(6) (b)(7)(C) explained the blocks are across from each other. When (b)(3) (b)(6) (b)(7)(C) and (b)(3) (b)(6) arrived at Alpha Block other military members were taking out ISN 0093, who had been discovered hanging in cell A-8. (b)(3) (b)(6) (b)(7)(C) took over walking the tier inside Alpha Block. About that time two of the Alpha Block personnel showed up. (b)(3) (b)(6) (b)(7)(C) advised (b)(3) (b)(6) passed by Cell A-12 and called out to ISN 588, but received no response. They had a Guard run to look inside the cell window from the outside. The guard yelled out (b)(2) ISN 588 was located in the corner of his cell with a blanket covering him. A MA3 female unlocked the cell and (b)(3) (b)(3) (b)(6) entered and pulled the blanket back. (b)(3) (b)(6) (b)(7)(C) reported he first observed that ISN 588 was hanging and his hands appeared to be tied or wrapped around his wrists with cloth. (b)(3) (b)(3) (b)(6) indicated he lifted up ISN 588's body and felt the weight fall on his shoulder. (b)(3) (b)(6) (b)(7)(C) didn't know if someone had cut the material that was suspending ISN 588 or if it had just come loose. (b)(3) (b)(6) (b)(7)(C) advised he held the head of ISN 588 and lowered the body to the floor of the cell. (b)(3) (b)(6) (b)(7)(C) stated the body was cold and there was a dead blank stare on ISN 588. (b)(3) (b)(3) (b)(6) explained the MA3 female was taking material off the neck of ISN 588, as well as a cover made of material from the face. (b)(3) (b)(3) (b)(6) reported he helped to place ISN 588 on a backboard and

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NCIS

EXHIBIT (20)

SUBJ: V/AL ZAHRANI, Y SER TALAL/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

helped to carry him out of Alpha Block. After that (b)(3) (b)(6) (b)(7)(C) continued to walk the tier of Alpha Block. (b)(3) (b)(6) (b)(7)(C) stated some of the Army CAV personnel came in and helped with the block. (b)(3) (b)(6) (b)(7)(C) indicated he was helping to tape off the three cells of the hangings when he was told to report to Bldg. 1.

BIOGRAPHICAL DATA

EMPLOYMENT: (b)(3) (b)(6) (b)(7)(C)

SSN:

DOB:

POB:

REPORTED BY: (b)(7)(C)

OFFICE: NCISRU GUANTANAMO BAY, CUBA

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988

STATEMENT

PLACE: NCISRU Guantanamo Bay, Cuba Office

DATE: June 14, 2006

(b)(3) I (b)(3) (b)(6) (b)(7)(C) make this free and voluntary statement to (b)(7)(C) (b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the of deaths of three detainees residing in Alpha Block, Camp Delta on 10JUN06. For the purposes of this statement I will refer to the detainees as ISN93, ISN693 and ISN588 (b)(3)

(b)(3) (b)(6) For identification purposes (b)(3) (b)(6) (b)(7)(C) (b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) I have served as (b)(3) (b)(6) (b)(7)(C) at Guantanamo Bay, Cuba since 20SEP05. My duties here involve guarding the enemy combatants that have been detained during the course of the war on terrorism (b)(3) (b)(6)

(b)(3) (b)(2) 09JUN06 I served as guard on (b)(2) of Camp 1 from (b)(2) until approximately (b)(2) on 10JUN06. Working with me on (b)(2) were (b)(3) (b)(6) (b)(7)(C) (b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) At that time I responded to Alpha Block to assist with a (b)(2) that NCIS b2 was occurring at Alpha Block. We call a suicide attempt among one of the detainees a (b)(2) The following is a more detailed timeline of my activities that night (b)(3) (b)(6)

(b)(3) (b)(2) At approximately (b)(2) I reported to duty where we had a pass down meeting with the previous shift. The purpose of this meeting is to relay any concerns or problems that the previous shift had encountered during their shift. I do not recall any concerns or problems relayed during this meeting. There was no discussion regarding a incident where a guard told cell block (b)(2) detainee to take down sheets he hung in his room. Normally that information would not have been discussed during (b)(2) passdown meeting because that event occurred in Alpha Block not (b)(2) (b)(3)

(b)(3) After the passdown meeting I then went to do either an inventory of the (b)(2) (b)(2) and other supplies in the guard shack or the head count. I did both an inventory and a head count after the passdown meeting but I cannot remember which one I did first. One of the other guards, probably (b)(3) (b)(6) did the head count while I did the inventory and vice-versa (b)(3)

(b)(3)
(b)(6)
(b)(2) was quiet at all times I was there. There was no chanting or singing or other disturbance. It is not normal for detainees to sing and chant. From my experience at JTF, I know that when the detainees sing and chant some type of trouble is brewing. For example, (b)(2) started rioting after chanting and singing. The detainees were banging on their cells and yelling. I was serving on (b)(2) at that time. The cellblocks are approximately 25 feet apart so if a disturbance occurs in one block Sailors in another block know of the disturbance. (b)(3)

NCIS b2
(b)(3) At approximately 0000 on 10JUN06, I heard a (b)(2) come over the radio from Alpha Block. I know it was approximately that time because (b)(3) (b)(6) had just come back from the chow hall. (b)(2) guards take dinner break starting at 1100 and each take a half hour. I went from 1100 to 1130 on 09JUN06 and then (b)(3) (b)(6) went. He came back and that is when we heard the (b)(2) call. (b)(3) (b)(6) (b)(7)(C) (b)(3) to assist with the (b)(2) and I also went. (b)(3) (b)(6) (b)(7)(C) (b)(3) (b)(6) (b)(7)(C) remained on (b)(2)

NCIS b2
As I arrived at Alpha Block I noticed (b)(3) (b)(6) (b)(7)(C) (b)(3) (b)(6) (b)(7)(C) removing one of the detainees from the block. The only thing I noticed about the detainee was that he looked lifeless and he had gauze sticking out of his mouth. I then went inside Alpha Block to do a head count and to determine if there were any other problems on the block. (b)(3) (b)(6) was following me approximately 30 seconds to my rear. I proceeded down the side that contained cells (b)(2) (b)(3) (b)(6) proceeded down the side that contained cells 1 through 24. When I arrived at the end of my side, (b)(2) I noticed (b)(3) (b)(6) motion me to come to cell 12 for a second opinion. I went to cell 12 and noticed that the detainee had a blanket hung from near the ceiling on the left side and from the window on the right side. The blanket appeared to be tied off through the mesh in the cell on the left side. It was also tied through the mesh of the cell on the bottom but only on the left side. The blanket covered a diagonal portion of the cell that contained the sink but not the toilet. It only covered a small portion of the cell so I looked for the presence of the detainee under the bunk. Detainees normally sleep under the bunks rather than on the bunk because it is darker there. I saw a sheet lying under the bunk with a lump under the sheet that appeared to be a person. I checked for breathing or other movement. I did not see any so I loudly called out—"Alpha 12, Alpha 12"—to the detainee for a response. I didn't receive a response so I called him out by his ISN and I still did not receive a response. I then asked (b)(3) (b)(6) who had returned from the clinic, to go outside and look through the window. (b)(3) (b)(6)

NCIS
b2

(b)(3) (b)(6) When he did he called out a (b)(2) I sent (b)(3) (b)(6) to get shackles and shears. I went into the cell after (b)(3) (b)(6) opened the cell door and pulled the blanket from the left side of the cell. The blanket was tied very securely because it was difficult to pull down. I stepped back for safety and to observe the situation and saw the detainee hanging from the neck by what looked like a t-shirt or some other white cloth. The cloth was cut into strips and weaved together. I do not remember exactly where the noose was tied but it had to be high on the cell because the detainee's feet were dangling and his eyes were wide open in a blank stare. It appeared to me that he climbed onto the sink and tied himself off and then jumped from the sink. I also noticed that the detainee had covered the sides of the cell with a sheet and the window with a towel. After a split second of observation I grabbed the detainee around the buttocks area, as his waist was about the level of my chest, and lift him up. Somebody must have cut him down or loosened the cloth because as I lifted him up the detainee drooped over my shoulder. I then placed him on the ground and secured his hands, which I noticed were loosely tied together. (b)(3) (b)(6) secured his feet. I do not recall who secured his head. (b)(3) (b)(3) removed the noose around the detainee's neck and what looked like a T-shirt that was tied around his mouth and jaw. This t-shirt was cut up to make sort of a mask. The (b)(7)(C) (b)(3) (b)(6) (b)(7)(C) (b)(7)(C) I believe (b)(3) (b)(6) tossed aside the cloth she removed and left it in the cell. When the (b)(2), (b)(7)(E) came I secured his hands with the (b)(2), (b)(7)(E) and (b)(3) secured his feet (b)(2), (b)(7)(E) We do this as Standard Operating Procedure because JTF has had fake suicides in the past where the detainees have assaulted the guards when removed from the cellblocks. When I was securing his hands and examining his body I noticed a white piece of paper in the detainee's left breast pocket (b)(3) (b)(6)

(b)(3) Sometime after we shackled the detainee the backboard arrived and we placed the detainee on the board and secured him to the board. Five of us took the detainee out to the sally, the passageway between the various cellblocks. I think the individuals who did this were (b)(3) (b)(6) (b)(7)(C) and others I do not recall. I stayed back at Alpha Block to maintain order. At this time I saw individuals strapping the detainee from cell Alpha 5 to a backboard and removing him from the block. I then told the detainees to remove all items hanging from the cells, i.e. prayer rigs, towels, sheets, and linen clothing. All the cells had these items or some combination of these items hanging in them. Hanging items on the cell walls but not the doors is allowed per Guard Mount Message or Standard Operating Procedures but I cannot remember which. The detainee's complied with the order. I did so to monitor the detainees and to prevent other suicide attempts. I then secured the shutters outside the windows and turned off the water mains to the cells. Six members of the Army Cavalry helped me with this task. I do not remember the names of the members of Army Cavalry. After this duty, which lasted about 30 to 45 minutes, I went to see (b)(3) (b)(6) (b)(7)(C) on orders from (b)(3) (b)(6) (b)(3) (b)(6) (b)(7)(C) After I saw (b)(3) (b)(6) (b)(7)(C) and spoke to an NCIS agent I was released for the night at 0500 to 0530. I was called back to duty at 0800 and helped the SOGs and Platoon Leader input the information into the Detainee Information Management System. I was released from duty at 1100 on 10JUN06 (b)(3) (b)(6)

Continuation of Voluntary Sworn Statement of
(b)(3) (b)(6) (b)(7)(C)

On 14 June 2006

(b)(3) (b)(6) (b)(7)(C)

This statement, consisting of this page and 3 other page(s) was typed for me by (b)(7)(C) (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief.

Signature:

(b)(3) (b)(6) (b)(7)(C)

Sworn to and subscribed before me this 14th day of JUNE in the year 2006
at NCIS RU GUANTANAMO BAY, CUBA.

Witnessed:

(b)(7)(C)

Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

(b)(3) (b)(6) (b)(7)(C)

912

STATEMENT

PLACE: NCISRU Guantanamo Bay, Cuba Office

DATE: June 15, 2006

(b)(3) I, (b)(3) (b)(6) (b)(7)(C) make this free and voluntary statement to (b)(7)(C) (b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the deaths of three detainees residing in Alpha Block, Camp Delta on 10JUN06. (b)(3) (b)(6)

(b)(3) For identification purposes (b)(3) (b)(6) (b)(7)(C) (b)(3) (b)(6) (b)(7)(C)

(b)(3) I serve as a Block Guard at Camp 1 or (b)(2) of the Joint Task Force, Guantanamo Bay, Cuba. As a Block Guard I conduct cell searches, escort the detainees to the Recreation Rooms and showers, provide food to the detainees and try to maintain order in the Block. To maintain order, the Block Guards walk on the "tier" between the two rows of cells. There should be a Block Guard on the tier at all times. The purpose of being on the tier is to monitor the activities of the detainees. (b)(3) (b)(6)

(b)(3) On 09JUN06 from (b)(2) I served as a Block Guard on Alpha Block of Camp 1. (b)(6) During this time the block was mostly quiet except for three events. The first event involved the inmate in cell (b)(2). He was using the restroom and was covering his head with sheets. This is not allowed. The detainees are allowed to cover themselves up to their shoulders but no higher. The Non-Commissioned Officer, (b)(3) (b)(6) seized the detainee's sheet. I don't remember what time this event occurred. (b)(3) (b)(6)

(b)(3) The second event was the detainee in cell (b)(2). I cannot remember which, was moved to (b)(2). He was moved because he shouldn't have been in cell (b)(2). He was originally in (b)(2) and somebody moved him to cell (b)(2). Once he was in (b)(2) the detainee complained about being too close to (b)(2) because there is a disruptive detainee in that cell. After he complained about being too close to (b)(2) the detainee was moved to (b)(2). The (b)(2) team moved him. I do not know who the members of the (b)(2) were. I think the detainee was moved to (b)(2) between 1000 and 1100 and then was moved to (b)(2) two hours later. (b)(3) (b)(6)

(b)(3) The third event involved the inmate in cell 4 where the detainee hung a blanket from the (b)(6) sides of the cell. The blanket was hung from approximately half way up the wall across the cell. The blanket was tied off through the mesh of the cell walls. The blanket was approximately 2 to 3 feet from the back wall. It was approximately 4 to 5 feet high. I believed he was covering himself while he was using the restroom. I told him to take it (b)(3) (b)(6)

(b)(3) down three times but he would not comply. I then went to do paperwork in order to seize the blanket. After completing the paperwork, (b)(3) (b)(6) seized the blanket by requesting it from the detainee. The detainee provided both of his blankets and (b)(3) (b)(3) took one of the blankets and sent it the linen department and put the other one on top of his cell. This event occurred from 1500 to 1600. (b)(3)

(b)(3) The events described in the preceding three paragraphs should have been entered into the Detainee Information Management System (DIMS). I did not enter the information. I do not remember the times of these events but the exact times should be recorded in DIMS. (b)(3)

(b)(3) The shift I worked Block Guards conducted cell searches of all the cells on Alpha Block. (b)(6) We did not discover anything that a detainee could hang himself with. We did not find any weapons either. I heard rumors that the detainees bound their hands and feet and then hung themselves with altered sheets. I searched cell 5 but I did not find anything that would allow the detainee in cell 5 to hang himself in the manner of the rumors. I did not see any hanging blankets in cell 5. My recollection is that they were folded on the bunk. I took them and shook them loose refolded them and put them back on the bunk. I may have searched cells 8 and 12 but I do not remember. These cell searches were done between 1400 and 1700. (b)(3) (b)(6)

(b)(3) (b)(6)
(b)(7)(C)

994

Continuation of Voluntary Sworn Statement of

(b)(3) (b)(6) (b)(7)(C)

On 15 June 2006

(b)(3) (b)(6)
(b)(7)(C)

This statement, consisting of this page and 2 other page(s) was typed for me by (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief.

Signature: (b)(3) (b)(6) (b)(7)(C)

Sworn to and subscribed before me this 15TH day of June in the year 2006
at NCISRU Guantanamo Bay, Cuba.

Witnessed: (b)(7)(C)

(b)(7)(C)

Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

995

STATEMENT

Place : NCISRU Guantanamo Bay, Cuba

Date : June 17, 2006

(b)(3) (b)(6) (b)(7)(C) make the following free and voluntary statement to (b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the deaths of three detainees at Camp Delta, Camp 1, A-Block on or about 10Jun06. (b)(3)

(b)(3) (b)(6) (b)(7)(C) For identification purposes, (b)(3) (b)(6) (b)(7)(C) I am currently assigned to the Escort Department at Joint Task Force GITMO, Camp Delta. The Escort Department is responsible for all detainee movements within the camps. I am the LPO for Escort Department Squad 2, which includes (b)(3) (b)(6) (b)(7)(C) (b)(3) (b)(6) is the Squad 1 LPO and oversees (b)(3) (b)(6) (b)(7)(C) We were all on duty on 09-10Jun06, when the detainee deaths were discovered on A-Block. (b)(3) (b)(6)

(b)(3) (b)(6) (b)(7)(C) Around 2330 or 2400 on 09Jun06, we got a call at our department office in Camp Delta, Camp 1 from A-Block for a (b)(2) which is code for a detainee injury. I sent (b)(3) (b)(6) (b)(7)(C) to the block to escort the injured detainee (A8) to the deck clinic. After a few minutes, I headed toward the block to check on their progress. But, at Sally 4, I was told they were already on the way to the clinic. I then went to the clinic and saw that the medical staff was already working on the detainee. While there, I heard a call for (b)(2) over the radio worn by one of the A-Block guards. (b)(2) is code for suicide. (b)(3) NCIS b2

(b)(3) (b)(6) (b)(7)(C) When I heard the (b)(2) I ran towards A-Block. On the way, I stopped at the Escort Department office to tell them about the suicide attempt. (b)(3) (b)(6) (b)(7)(C) then went with me to the block. When we got there, the second detainee (Cell A12) was already down, and the guards were placing him on a back board. I also saw a small Asian female guard banging on the cells, trying to wake up all the detainees. I heard her say, "A5 is not responding," and a guard helping with A12 ran over and unlocked the cell (b)(3) (b)(6) (b)(7)(C) ran inside while he opened the door, and they were followed by the guard that opened the cell and another guard from the block. I stayed outside the cell, because there were already four people inside. From what I remember, (b)(3) (b)(6) (b)(7)(C) (b)(3) were holding the body up, while the two guards from A-Block tried to get him down. They eventually cut him down, but I don't remember seeing the shears. (b)(3)

(b)(3)
(b)(6)
(b)(7)(C)

Continuation of voluntary sworn statement of

(b)(3) (b)(6) (b)(7)(C)

on June 17, 2006

(b)(3) Once A5 was cut down, I ran toward the clinic to get a backboard. On the way, I ran into (b)(3) (b)(6) (b)(7)(C) inside the Sally 3 gates. He had a back board with him, so we both ran back to the block and into A5 with the back board. We put the board down outside the cell and loosened the straps, then laid it on the deck inside the cell, next to the detainee. Then, (b)(3) (b)(6) (b)(7)(C) and one other guard rolled him onto the back board and strapped him down. I don't remember if he had (b)(2), (b)(7) on, but he already had leg shackles on when we arrived with the back board. After he was secured on the back board, they passed him out to me, (b)(3) (b)(6) (b)(7)(C) and others from the block. Then, (b)(3) (b)(3) (b)(6) (b)(7)(C) two guards from A-Block and I carried the detainee on the back board to the deck clinic. I didn't touch the detainee's body, but saw that his eyes were open. I thought he might be alive, but unconscious. (b)(3) 10

(b)(3) Something I noticed that night, that I thought was strange, was that all the detainees on A-Block were very quiet when we responded to the (b)(2). Usually, when there is a (b)(2) the other detainees on the block make a lot of noise and call out, "Help my brother!" But that night, there wasn't one word from them. I think they already knew what happened. (b)(3) NCIS b2

(b)(3) This statement, consisting of this page and 1 other page(s) was typed for me by (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief. (b)(3)

(b)(3) (b)(6) (b)(7)(C)

Signature: _____

Sworn to and subscribed before me this 17th day of Jun in the year 06 at 0832

0832 (b)(7)(C)

Witnessed _____

(b)(7)(C)

(b)(7)(C)

Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: V/AL ZAHARANI, YASSER TALAL/CIV
CCN: 10JUN06-MPGT-0031-7HNA

INVESTIGATIVE ACTION: RESULTS OF INTERVIEW OF (b)(3) (b)(6) (b)(7)(C)

NARRATIVE

1. In the early morning hours of 10JUN06, three detainees were found hanging inside Alpha Block of Camp 1 at Camp Delta, Joint Task Force Guantanamo Bay, Cuba. Reporting Agent (RA) interviewed (b)(3) (b)(6) (b)(7)(C) at Camp Delta, Bldg 1, regarding his knowledge of the circumstances surrounding the discovery of three detainees, hanging inside Alpha Block cells, during the early morning hours of 10Jun06.

2. For background (b)(3) (b)(6) (b)(7)(C)'s 12-hour shift commenced at approximately (b)(2) on 09Jun06. (b)(3) (b)(6) was assigned to work Escort Control.

NCIS b2 3. (b)(3) (b)(6) (b)(7)(C) advised on 10Jun06, he was working Escort Control with (b)(3) (b)(6) when they responded to the Alpha block in response to the 1st (b)(2) being called. (b)(3) (b)(6) indicated (b)(2) is the code word for a suicide attempt. (b)(3) (b)(6) stated he and (b)(3) (b)(6) were the assigned Escort Team for the 1st hanging victim, V/AL ZAHARANI (ISN 093), from Alpha block to the Detention (DET) Clinic. (b)(3) (b)(6) stated he assisted while in the DET Clinic with Cardio Pulmonary Resuscitation (CPR). (b)(3) (b)(6) advised while he was at the DET Clinic he observed Combat Camera filming the bodies of the 3 hanging victims. (b)(3) (b)(6) assisted medical personnel with CPR in the Naval Hospital Guantanamo Bay, Cuba (NAVHOSP GTMO) Ambulance. (b)(3) (b)(6) explained during the transit of ISN 093 to NAVHOSP GTMO blood started coming out of ISN 093's mouth. Swelling was observed of ISN 093's neck. They observed material layered still around the neck. (b)(3) (b)(6) stated the rescue personnel cut off the material on the way to the hospital. (b)(3) (b)(6) believed the material around the neck might have been parts of a sheet cut into strips. (b)(3) (b)(6) reported the ambulance arrived at the NAVHOSP at approximately 0111. ISN 093 was brought to the Detainee Wing where NAVHOSP medical personnel worked on him until he was declared dead at approximately 0150.

BIOGRAPHICAL DATA

(b)(3) (b)(6) (b)(7)(C)

Reported By: FRANK J. SOUCY III, SPECIAL AGENT
Office: NCISRU GUANTANAMO BAY, CUBA

EXHIBIT (24)

WARNING

PAGE 1 OF XX

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NCIS

958

him on a bed. I stayed while the other guards returned back to Alpha Block. Three corpsman then came in and proceed to perform CPR and another put an IV into his arm. The corpsman was on his knees on the side of the bed while performing chest compressions. I assisted in keeping the corpsman from fall off the bed by holding his back. I also witnessed a black female lieutenant bring in the electrodes and attached them to the detainee's chest. She shocked the subject approximately three times but got no response. The corpsman rotated positions and kept giving them chest compression but got no response. After several minutes, a white male doctor in civilian cloths entered the room. The doctor tried to open the detainee's mouth to give him medical attention but it was too stiff. He then left and the corpsman proceed with CPR. The doctor returned and asked a corpsman what time it was. The corpsman said, "0115". The doctor said, "I pronounce him dead at 0115." After that, all the corpsman left the room but I stayed with the body. (b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) were in the room with the other body. During my time in the clinic, there were only two bodies there. I was relieved at approximately 0130 and told watch the other body at the main hospital. (b)(3) (b)(6) came into my room at the clinic and we both left to go to the big hospital. (b)(3)

(b)(3) (b)(6) (b)(7)(C) When we arrived at the hospital, we were told we would not be needed. We then went back to escorts. I am not sure of the time but I was told to relieve (b)(3) (b)(6) who was one of the three escort guards watching the two bodies. I relieved him and documented who come into the room. NCIS investigators along with combat camera personnel later entered the room and I turned over my documentation. I waited outside the room until investigators were done with their investigation. The bodies were put into bags and moved to the morgue by ambulance. We were no longer needed so we went back to escort control. During the incident, I did not know the name of the guards and medical personnel involved. (b)(3)

(b)(3) Based upon my training at Fort Lewis and training here, it taught that nothing should be hung above the beanhold. In some blocks there is a black line painted on the fence of cells indicating that nothing can be hung above the line. Based upon my experience escorting, each camp is operated differently. I have seen blankets and other items hanging before but I never saw items hung as high as I did on the night in question. (b)(3) (b)(6)

(b)(3) (b)(6) (b)(7)(C) This statement, consisting of this page and 1 page(s) was typed for me by (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief. (b)(3)

(b)(3) (b)(6) (b)(7)(C)
Signature

Sworn and subscribed before me this 15 day of June in the year at 2006

Witnessed: (b)(7)(C)

Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

10JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF INTERVIEW OF (b)(3) (b)(6) (b)(7)(C)

Please note the original transmission(s) of this IA contained errors in the "Header" portion. Any previous transmissions of this IA should be destroyed. This transmission supercedes all others and contains revised "Header" information.

NARRATIVE

1. In the early morning hours of 10Jun06, three detainees were found hanging inside Alpha Block of Camp 1 at Camp Delta, Joint Task Force Guantanamo Bay, Cuba. Reporting Agent (RA) interviewed (b)(3) (b)(6) (b)(3) (b)(6) at Camp Delta, Bldg. 1, regarding her knowledge of the circumstances surrounding the discovery of three detainees, hanging inside Alpha Block cells, during the early morning hours of 10Jun06.

2. For background (b)(3) (b)(6) (b)(2) commenced at approximately 1700, on 09Jun06. (b)(3) (b)(6) was assigned to work Escort Control.

3. (b)(3) (b)(6) advised on 10Jun06, she was working Escort Control with (b)(3) (b)(6) when they responded to the Alpha Block in response to a (b)(2) being called. (b)(3) (b)(6) indicated (b)(2) is the code word for a suicide attempt. (b)(3) (b)(6) stated she ran following other military members to Alpha Block, Cell A-12. (b)(3) (b)(6) reported she could not see anything because of other people. (b)(3) (b)(3) then went to Cell A-5, where she observed a detainee hanging. This detainee was identified as V/AHMED (ISN 693). (b)(3) (b)(6) pulled at cloth material, which was wrapped around ISN 693's neck. (b)(3) (b)(3) was able to unravel enough of the material so that others could get ISN 693 down. Once down (b)(3) (b)(6) continued to unwrap the material from his neck. (b)(3) (b)(6) advised the material felt to be soft similar to t-shirt material. (b)(3) (b)(6) helped put ISN 693 on a backboard and carry him to the Detention (DET) Clinic. (b)(3) (b)(6) stayed at the DET Clinic and helped to stabilize a corpsman that was performing Cardio Pulmonary Resuscitation (CPR) on ISN 588, the hanging victim from Cell A-12. (b)(3) (b)(6) indicated she observed a deep indentation on the neck of ISN 693. She added that his pupils were fixed and dilated, his fingernails and feet purple. (b)(3) (b)(6) did not witness any signs of life on either ISN 693 or ISN 588 while she was around them. (b)(3) (b)(6) stated she thought ISN 693 was pronounced dead at approximately 0112, on 10Jun06 and that ISN 588 was pronounced dead at approximately 0115, 10Jun06. (b)(3) (b)(6) indicated both ISN 693 and ISN 588 were in the DET Clinic when they were pronounced dead.

BIOGRAPHICAL DATA

EMPLOYMENT: MA2 USN, JTF-GTMO, NEGB

FOR OFFICIAL USE ONLY

WARNING

SUBJ: V/AL ZAHrani, SSER TALAL/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

SSN:

DOB:

POB:

RESIDENCE:

REPORTED BY: (b)(7)(C)

OFFICE: NCISRU GUANTANAMO BAY, CUBA

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Page 2

LAST NDK V2 LNY

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1001

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

10JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF INTERVIEW OF K (b)(3) (b)(6) (b)(7)(C)

Please note the original transmission(s) of this IA contained errors in the "Header" portion. Any previous transmissions of this IA should be destroyed. This transmission supercedes all others and contains revised "Header" information.

NARRATIVE

1. In the early morning hours of 10Jun06, three detainees were found hanging inside Alpha Block of Camp 1 at Camp Delta, Joint Task Force Guantanamo Bay, Cuba. Reporting Agent (RA) interviewed (b)(3) (b)(6) (b)(3) at Camp Delta, Bldg. 1 regarding his knowledge of the circumstances surrounding the discovery of V/AHMED (ISN 693), hanging inside Alpha Block cell A-5, during the early morning hours of 10Jun06.

2. For background (b)(3) (b)(6) (b)(7)(C) 12-hour shift commenced at approximately (b)(2) on 09Jun06. (b)(3) (b)(6) (b)(7)(C) was assigned on his shift as the Escort Team LPO.

3. (b)(3) (b)(6) reported on 10Jun06, he heard the call go out over the radio for "(b)(2)" (b)(3) (b)(6) stated when he arrived at Alpha Block the 1st detainee, from Cell A-8, had already been removed from the block. (b)(3) (b)(6) entered Alpha Block to see the 2nd detainee, from Cell A-12, being placed on a backboard. About that time (b)(3) (b)(3) advised someone yelled out A-5. MA1 (b)(3) responded to Cell A-5 and witnessed a blanket on the side of the cell. (b)(3) (b)(6) grabbed the blanket and saw the detainee ISN 693 hanging. (b)(3) (b)(6) immediately lifted up the body to release the weight and someone cut the material wrapped around ISN 693's neck. (b)(3) (b)(6) stated there was something tied around the hands of ISN 693. (b)(3) (b)(6) explained ISN 693's eyes were open. (b)(3) (b)(6) did not observe any signs of life on ISN 693. (b)(3) (b)(6) also did not observe any signs of life as he passed cell A-12 where ISN 588 had been discovered hanging. (b)(3) (b)(6) accompanied ISN 693 to the Detention (DET) Clinic, where he remained until being told to respond to Bldg. 1.

BIOGRAPHIC (b)(3) (b)(6) (b)(7)(C)

EMPLOYMENT:

SSN:

DOB:

POB:

RESIDENCE:

REPORTED BY: (b)(7)(C)

OFFICE: NCISRU GUANTANAMO BAY, CUBA

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Page 1

LAST (b)(7)(C) V2 LNY

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EXHIBIT 21

1002

STATEMENTPLACE: NCISRA Guantanamo Bay, CubaDATE: June 14, 2006

(b)(3)
(b)(6)
(b)(7)(C) I (b)(3) (b)(6) (b)(7)(C), make this free and voluntary statement to (b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the death of three detainees found hanged on 10JUN06 inside Alpha Block, Camp 1 aboard the Joint Task Force Guantanamo Bay, Cuba. (b)(3) (b)(6)

(b)(3)
(b)(6)
(b)(7)(C) (FOUO) For identification purposes (b)(3) (b)(6) (b)(7)(C)
(b)(3) (b)(6) (b)(7)(C)

(b)(3)
(b)(6)
(b)(7)(C) assigned to JTF-GTMO since 09FEB06 I expect to rotate on 09FEB07. (b)(3) (b)(6) (b)(7)(C)
(b)(3)
(b)(6)
(b)(7)(C) (S/NF) I reported for Mid-watch (b)(2) at 1700 on 09JUN06 to receive turn over from (b)(3) (b)(6) (b)(7)(C) informed me of no unusual activity during his watch (10530-0730) and minimal activity had been scheduled to transpire during my watch. Subsequent to turnover, I assumed the watch for the 1st Squad for the night. I last saw ISN-093 alive approximately a month before 09JUN06. I last saw ISN-588 alive approximately 10-12 days prior to 09JUN06. I last saw ISN-693 approximately 10-12 days prior to 09JUN06. For background purposes, the codeword (b)(2) is used by NCIS b2 the guard staff at JTF-GTMO as indicating a self harmed attempt, as defined in the Standard Operating Procedures. Approximately at sunset, I noticed the inmates from Alpha Block were singing. This in itself is typically not unusual, especially on Friday evenings, however I did note the singing was particularly louder, and in seemingly better unison, than normal. At approximately 2300, I departed for chow. At approximately 2330, I returned our office at Escort Control. My entire team and I were in the office when, at approximately 5-10 minutes before midnight, Escort Control received a phone call, from I believe, the Detention Operation Center (DOC) relaying a code "YELLOW" on Alpha Block. For informational purposes, code (b)(2) is used to convey a medical emergency of a detainee. I sent (b)(3) (b)(6) (b)(7)(C) to respond to the declared emergency. Shortly thereafter, I walked out the side door and noticed MA1 (b)(3) Bishop (b)(2) from the "sally port" and entered my office. (b)(3) informed me that we had a "snowman". My team and I immediately departed our office and entered into "Alpha" Block. Subsequent to entering Alpha Block, I donned rubber surgical gloves. I saw ISN-588 on the ground while a number of Sergeant of the Guard (SOG) and Alpha Block personnel were placing ISN-588 onto a backboard. I kneeled down and felt for pulse and respirations. I detected no signs of life. His eyes were open and blank. His mouth was open and I could see his teeth. I noticed his toenails and fingernails had already started to turn blue. (b)(3) (b)(6)

(b)(3) (b)(6) (b)(7)(C)

(S/NF) I then heard someone shout "Alpha-5". I believe the person yelled "Alpha 5" in an attempt to wake ISN-693. When I arrived, I paused to notice what I thought to believe was ISN-693 laying on his bunk under a blanket. I then noticed a blanket draped in the corner of the cell. At this time, someone, a unidentified USN service member, with a set of keys unlocked the cell door and partially entered the room, hesitant to fully enter the room without further backup. The unknown service member felt the bed as I looked behind the blanket suspended in the corner of the cell. I immediately saw ISN-693 hanging from his neck between two blankets. I pulled on the blanket facing the front of the cell in an attempt to get it down when another person cut it free. I approached the body and lifted it to release the tension on the noose. ISN-693's waist was against my chest. ISN-693 was suspended approximately six (6) inches from the deck. No part of his body was in contact with the deck. Someone behind me cut the noose and ISN-693's weight shifted so I automatically transitioned ISN-693 to the ground. I noticed ISN-693's hands were bound and secured to the front of his body inside a makeshift belt fashioned from the same material that comprised the noose. The noose that suspended ISN-693 was wrapped several times around his neck. While I untied and shackled ISN-693's hands, (b)(3) (b)(6) untied the noose from his neck. I called out for a backboard. I checked for respirations and a pulse but could not detect any signs of life. I noticed ISN-693 was cool to the touch. I saw and felt the ligature marks around his neck, they felt rough and "plastic". ISN-693's mouth was slightly open and I could see his teeth. I did not see anything in his mouth. His eyes were slightly open and one was open wider than the other. Someone brought a backboard in to the cell and prepped the board to place him on the board. Out of habit, I instructed them to assist me to place ISN-693 onto the backboard prior to transporting him from his cell. We secured him to the backboard and transported him (physically ran) to the Detainee Clinic. Medical personnel directed us to take ISN-693 to room eleven (11). Along the way to room eleven, I noticed what I believe to be ISN-093 in the trauma area with emergency personnel performing CPR. Someone called for a combat camera. I am combat camera qualified so I volunteered to videotape the event. I ran the video camera for approximately two (2) minutes until I was instructed by (b)(3) (b)(6) (b)(7)(C) to halt taping. Members of my team and I were helping the corpsmen as we could. At approximately 0116 hrs, the attending medical doctor pronounced ISN-693 and ISN-588 to be dead. After they were pronounced dead, (b)(3) (b)(6) (b)(7)(C) assigned (b)(3) (b)(6) (b)(7)(C) and me to guard the bodies. I heard there was another Detainee ~~for~~ to the medical facility so I was instructed by the attending medical doctor to relocate ISN-693 from room eleven to room ten (10) where ISN-588 was located in order to free room eleven for the incoming Detainee. We collected all the materials that came on the Detainees and consolidated them with that specific Detainee, placing the items on their bodies. I instructed to (b)(3) (b)(6) (b)(7)(C) to shut the door of room ten and posted them outside the door with instructions to allow no person inside. (b)(3) (b)(6) (b)(7)(C) assumed responsibility for segregating ISN-693 and ISN-588 in room ten. A few moments later, I was informed (b)(7)(C) requested my presence in the conference room. I signed out of the logbook and departed the medical facility to the conference room at building one (b)(3) (b)(6) (b)(7)(C)

SECRET NOFORN

1524

SECRET/NOFORN

Continuation of Voluntary Sworn Statement of
(b)(3) (b)(6) (b)(7)(C)

on 14 JUN 06

This statement, consisting of this page and 2 other page(s) were typed for me by (b)(7)(C) (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief (b)(3) (b)(6) (b)(7)(C)

Signature

Sworn to and subscribed before me this 14 day of June in the year 2006
at NCIS RA Guantanamo Bay

Witnessed

SPECIAL AGENT 14 JUN 06
Representative, Naval Criminal

Investigative Service

AUTH: DERIVED FROM ARTICLE

136,

UCMJ (10 U.S.C.

936) AND 5 U.S.C. 303

SECRET NOFORN

1005

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

10JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF INTERVIEW OF GLORIA JEMISON

Please note the original transmission(s) of this IA contained errors in the "Header" portion. Any previous transmissions of this IA should be destroyed. This transmission supercedes all others and contains revised "Header" information.

NARRATIVE

1. In the early morning hours of 10Jun06, three detainees were found hanging inside Alpha Block of Camp 1 at Camp Delta, Joint Task Force Guantanamo Bay, Cuba. Reporting Agent (RA) interviewed (b)(3) (b)(6) (b)(3) (b)(6) at Camp Delta, Bldg 1, regarding her knowledge of the circumstances surrounding the discovery of three detainees, hanging inside Alpha Block cells, during the early morning hours of 10Jun06.

2. For background (b)(3) (b)(6) 12 hour shift commenced at approximately (b)(2) on 09Jun06. (b)(3) 5 USC was assigned working the Sally Gates.

3. (b)(3) (b)(6) reported on 10Jun06, she was working the sally gates when she heard the call go out over the radio for (b)(2) (b)(3) (b)(6) indicated (b)(2) is the code word for a suicide attempt. NCIS b2 (b)(3) (b)(6) stated she ran to medical to get a backboard. MA2 JEMISON indicated she brought it into the Alpha block. She opened the gates for the 1st body to leave Camp 1 (b)(3) (b)(6) stated the feet of the 1st body appeared to be blue. (b)(3) (b)(6) explained she helped to carry out the 3rd body from Alpha block. (b)(3) (b)(6) indicated the head of the 3rd body was cold. She believed he may have used a blanket to hang himself, because she saw fuzz that may have come from a blanket, on his neck. (b)(3) (b)(6) indicated there was a braided makeshift noose on the floor beside the 3rd detainee in the cell.

BIOGRAPHICAL

EMPLOYMENT:

SSN:

DOB:

POB:

RESIDENCE:

REPORTED BY: (b)(7)(C)

OFFICE: NCISRU GUANTANAMO BAY, CUBA

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Page 1

LAST

(b)(7)(C) V2 LNY

WARNING

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STATEMENT

Place : Building 760, NCISRU Guantanamo Bay, Cuba
Date : 14JUN06

(b)(3) (b)(6) (b)(7)(C) (b)(7)(C)
(b)(3) , make the following free and voluntary statement to (b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the three detainee deaths which occurred in the Alpha Block of Camp 1 at Camp Delta, Joint Task Force Guantanamo Bay, Cuba, during the early morning hours of 10JUN06 (b)(3)

(b)(3) (b)(6) (b)(7)(C) For identification purposes, I, (b)(3) (b)(6) (b)(7)(C) am a Master at Arms (MA2), USN, JTF-NEGB, Guantanamo Bay, Cuba. I arrived at GTMO in FEB06, and after a short indoctrination period, I began work in Camp 1. On the night of 09JUN06, I was working SALLY 4. SALLY is the secure area that individuals must go through to get to Camp 1. My job in SALLY 4 was to check the identification and destination of individuals entering the camp. My shift started at (b)(2) and I was a rover throughout the causeway until I took over at SALLY 4 at 2400 (b)(3)

(b)(3) (b)(6) (b)(7)(C) I was talking to SOG (b)(3) (b)(6) (b)(7)(C) at SALLY 4 when (b)(3) (b)(6) (b)(7)(C) came running up and said that there was a detainee hanging himself on Alpha Block. I do not recall what time this took place. (b)(3) (b)(6) (b)(7)(C) immediately left to go to Alpha block and (b)(3) (b)(6) (b)(7)(C) went on to (b)(2) block. I yelled to (b)(3) (b)(6) (b)(7)(C) on SALLY 3 to be prepared for medicals arrival. It seemed like as soon as I said this to (b)(3) (b)(6) (b)(7)(C), I turned back toward the camp and the block guards were carrying the first detainee out on a backboard. I observed that the detainee was blue. The detainee's feet were puffy and blue and it was blue around his mouth. I later learned that the detainee was from cell Alpha 8. The guards rushed out with him, and were on their way back through SALLY 3 when someone yelled (b)(2). At this point (b)(3) (b)(6) (b)(7)(C) was standing in the Alpha SALLY and said to me "SALLY we need your help." (b)(3) (b)(6) (b)(7)(C) then came out from Alpha block and said to me that they needed more backboards. I took off running toward the Detainee Clinic (DET), and while I was running (b)(3) (b)(6) (b)(7)(C) passed me as he ran toward the DET as well (b)(3)

(b)(3) (b)(6) When we got to the clinic, the clinic staff was working on the first detainee, but we finally got someone to get us some more backboards. We obtained two backboards and ran back to the Camp 1. (b)(3) (b)(6) (b)(7)(C) arrived before I did, and it was when I arrived that I learned there were not one, but two (b)(2) involving Alpha 12 and Alpha 5. (b)(3) (b)(6) (b)(7)(C) headed to Alpha 12, and I went to Alpha 5, which contained ISN 693. I could not get into the cell because it was full of people, so I started setting up the board on the tier. I remember seeing (b)(3) (b)(6) (b)(7)(C) in the cell, but I do not recall who else was in the cell. I remember seeing that the knot of the detainee's blanket, which was powder blue, still attached to the upper part of the cell. Then end of it was frayed and look as if it had been ripped not cut. There was a makeshift white rope, lying beside the detainee in the cell, it looked like it was braided and had been haphazardly thrown down on floor. It was thin and it was probably less than a foot long. I am not sure what material was used to make the rope (b)(3) (b)(6)

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(b)(3)
(b)(6)
(b)(7) soon as the backboard was unstrapped they said to slide it into the cell, which I did. The individuals in the cell rolled the detainee toward them as we are taught in training so that they could get the board underneath him. Since the detainee's head was facing the front of the cell, (b)(3) (b)(6) and I held his head as he was rolled back on to the backboard. We then carried the backboard out into the tier, and I remember that as we left the tier, the Chief had to let go so that we could pass through and Chief told me to "make sure you hold the head." (b)(3)
(b)(6)

(b)(3)
(b)(6) as we were carrying him to the DET, I noticed that his head flopped around a lot. I thought that people went stiff when they were dead, but I had to hold his head as I ran because it was flopping around and I was doing what I could to keep him from any additional injury. The backboard did not have a brace for the head. I had to run backwards in order to hold onto his head and the board. I observed that his eyes were open, but did not observe further down his body than his eyes. (b)(3)
(b)(6)

(b)(3)
(b)(6) then we got to the DET clinic we had to hold ISN 693 for a short time while a bed was found for him. We then placed him on the bed while he was still on the backboard, and I then left the room and went back to my SALLY. (b)(3)
(b)(6)

(b)(3)
(b)(6) for further background, detainees are allowed to hang linens in their cells in order to dry them, or provide privacy while they go to the head or pray. Detainees are not ever allowed to hang anything up on the grating of the door to the cell. However, hanging material on other areas of the cell is allowed at the discretion of the NCO and block guard. If block guards do not see skin or movement behind the hanging item, guards have the detainee to remove it. If the detainee is asleep, guards may get a second opinion or poke the material in order to see the detainee behind it. Guards may also peer through another cell to see into the cell of the hidden detainee. (b)(3)
(b)(6)

(b)(3)
(b)(6) on 08JUN06, I was assigned to Alpha block during my shift, which runs (b)(2) After the evening meal was served to the detainees, I picked up the trash from the cells. When I got to Alpha 5 (ISN 693), I opened his "clamshell" to check to see how much he ate and to check for the spork. Since I knew he had been on a hunger strike up until about a week prior, and I did not think he could have eaten that much of what was served that night so soon after the end of his hunger strike. For this reason, I looked at him and said in a conversational tone, "You didn't eat all this." ISN 693 just smiled at me and shook his head. (b)(3)
(b)(6)

(b)(3)
(b)(6) s statement, consisting of this page and one other page was typed for me by (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is true to the best of my knowledge and belief. (b)(3)
(b)(6) (b)(7)(C)

Signature

Sworn to and subscribed before me this 14th d

(b)(7)(C)

Witnessed

Representative Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) and 5 U.S.C. 303

1008

DELETED PAGE INFORMATION SHEET

SECRET NOFORN

STATEMENT

PLACE: NCISRA Guantanamo Bay, Cuba

DATE: 15JUN06

(b)(3) (b)(6) (b)(7)(C)

(b)

(b)(3)
(b)(6)

make this free and voluntary statement to

(b)(3)
(b)(6)

whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the death of three detainees found hanged on 10JUN06 inside Alpha Block, Camp 1 aboard the Joint Task Force Guantanamo Bay, Cuba. (b)(3)

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

(b)(3)

(b)(3)
(b)(6)

On 09-10JUN06, I was assigned to (b)(2) Block, Camp One (1). I reported for the night shift at approximately (b)(2). I waited in the (b)(2), an area comprising of four (4) picnic tables between the Detainee Clinic and the "R and U" area, for the shift's assignment and passdown. I was assigned to (b)(2) Block for the evening and began to walk the tier. At approximately 1913 hrs, I assisted in serving the Detainees their dinner meal. At approximately 1940 hrs, I began to collect the trash and meal trays. Subsequent to that, I began making Detainees Information Management System (DIMS) entries, while another person was walking the block. I resumed walking the tier at approximately 2030 hrs. It was at this time, before the last prayer call, which was scheduled on the Muslim Calendar to occur at 2103 hrs, I noticed the Detainees in Alpha Block singing. This was the only time I have noticed such singing since the last group of detainees were released from GTMO. I walked to the guard shack and approached (b)(3):10 USC §130b (b)(6) (b)(7)(C) who was referring to the DIMS, specifically at (b)(2) entries. I saw a DIMS entry stating (b)(2) had informed a guard that evening that the detainees were singing a "victory song", specifically the phrase "kill them all". After I had ascertained the gist of the song, I resumed walking the tier. At 2115 hrs, I noticed the singing ceased and the nightly prayers began. I went to chow at approximately 2330 hrs and returned to (b)(2) Block at 0003 hrs. I resumed walking the tier. I overheard someone say "open up, open up sally" (an unknown guard requesting entry into Alpha Block). I was passing by EM1 (b)(3):10 USC §130b (b)(6) (b)(7)(C) when I overheard (b)(2) being call on his radio. I remained at (b)(2) Block because I was instructed by (b)(3):10 USC §130b (b)(6) (b)(7)(C) not to depart. The detainees of (b)(2) Block began to awake. I then noticed four to five (4-5) guards transporting a detainee on a backboard through the sally toward the Detainee Clinic. (b)(3) (b)(6) (b)(7)(C) stated she overheard (b)(3):10 USC §130b (b)(6) (b)(7)(C) say: "I don't think he made it." It was a matter of minutes when I heard people in the causeway calling "Alpha-Twelve" (12). I noticed (b)(3):10 USC §130b, (b)(6), (b)(7)(C) A, and the Sergeant of the Guard (SOG) (b)(3)

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EXHIBIT (31)

NCIS 5580/26(1/2001)

(Formerly NCISForm 016/04-81)

NCIS

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SECRET NOFORN

Continuation of Voluntary Sworn Statement of

(b)(3):10 USC
§130b (b)(6) (b)(7)(C)

On 15JUN06

(b)(3) (b)(6) (b)(7)(C) run into Alpha Block. I overheard someone say there "were two (2) more, not one (1), as previously considered." (b)(3) (b)(6) then ran to the sally of (b)(2) and informed (b)(3) (b)(6) (b)(7)(C) who was standing at the (b)(2) Alpha sally, that he needed an additional person on Alpha Block. (b)(3) (b)(6) instructed me to go to Alpha Block. When I arrived, I saw (b)(2) lying on the deck inside cell A-5. I noticed his face seemed larger than normal, as if being swollen. I noticed his hands were bound together with either strips of bed sheets, the T-shirts or a combination of both supplied to them. I noticed a piece of white cloth protruding out of his mouth. (b)(3) (b)(2) facial color appeared to be darker, as if more "sun-tanned", than normal. Regarding ISN-093, I only remember his hands were bound with either strips of bed sheets, the T-shirts or a combination of both supplied to them. (b)(3) (b)(6) (b)(7)(C) instructed me and 4 other guards to begin walking the tier to wake the other Detainees on Alpha Block and account for them. I then witnessed ISN-588, A-12, having been placed on the backboard and being readied for transport to the Detainee Clinic. I noticed both of the Detainees' hands were bound with what appeared to be strips of white cloth fashioned together. I noticed ISN-093's cell, A-8, was empty. I continued to walk the tier, conducting the head check. I noticed some of the detainees having teary eyes and inquiring, with concern, regarding the status of the detainees. I last saw ISN-093, ISN-693 and ISN-588 alive on 07JUN06, the last day I worked on Alpha Block. All of the detainees were awake except for two (2), (b)(6) and another detainee on the left side of Alpha Block. I woke (b)(6) and instructed him to stay awake. I noticed the other detainee move in his sleep, indicating he was alive. I continued to walk the tier for approximately 10 minutes until (b)(3) (b)(6) (b)(7)(C) assigned each of us to monitor specific cells. After approximately 10-15 minutes, (b)(3) (b)(6) then instructed me to return to (b)(2) (b)(3) (b)(6) (b)(7)(C) and I returned to (b)(2) Block and began to walk the tier. (b)(3) (b)(6) approached the (b)(2) sally door and instructed me to log all the detainees on (b)(2) Block and to wake them. I went to the guard shack and retrieved that day's "shower and recreations" log clip board, and used it to annotate in the "TIME IN" column that all detainees of Echo Block were "OK" after I woke each of them. I then went to (b)(3) (b)(6) and informed him all detainees on (b)(2) Block were accounted for and safe. I spent the rest of my shift walking the tier on (b)(2) Block. Two (2) additional guards, (b)(3) (b)(6) (b)(7)(C), entered Block to assist waking the tier. After they assumed walking the tier, I approached (b)(3) (b)(6) who instructed me to secure the water and shutters in all cells, meaning turn off the water and close the shutters. (b)(3) (b)(6) further instructed me to take (b)(3) (b)(6) to assist me with securing the water and shutters. I told (b)(3) (b)(6) to secure the right side as I did the left side. After securing the cells, we again were posted on the tier by (b)(3) (b)(6). Ten (10) to twelve (12) additional guards were recalled to (b)(2) Block and posted on the tier. We were each assigned specific cells on (b)(2) Block to monitor. I was assigned (b)(2) (b)(2) Block, specifically (b)(2) I remained there for approximately (b)(3) (b)(6)

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SECRET NOFORN

Continuation of Voluntary Sworn Statement of

(b)(3) (b)(6) (b)(7)(C)

On 15JUN06

(b)(3) forty-five (45) to sixty (60) minutes. (b)(3) (b)(6) (b)(7)(C) escorted a 3rd Class PO to relieve me. Subsequent to being relieved, (b)(3) (b)(6) (b)(7)(C) instructed (b)(3) (b)(6) (b)(7)(C) and me to accompany him to the conference room. (b)(3) (b)(6) (b)(7)(C) met everyone who was involved in the incident in the conference room and instructed us to sign a roster. He further specified to annotate, with an asterisk, whether or not you were assigned to Alpha Block that night. (b)(3) (b)(6)

(b)(3) (b)(6) At no time during these events, did any member of the medical staff report to the situation at Camp 1 (one). At 1600 hrs on 10JUN06, all personnel present on Alpha Block, during the discovery of the three (3) deceased detainees, met with a Chaplain. It was brought up by (b)(3) (b)(6) that at no time did the medical staff of the Detainee Clinic respond to Alpha Block. It was also stated that when the guards transporting ISN-588 arrived at the Detainee Clinic, they had to bang on the door to gain entrance to the facility. When the medical staff opened the door, they were not even attired in their uniforms. (b)(3) (b)(6)

(b)(3) This statement, consisting of this page and two (2) other pages were typed for me by (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief. (b)(3)

Signature: (b)(3) (b)(6) (b)(7)(C)

Sworn to and subscribed before me this 15 day of JUNE in the year 2006
at NCISBA GUANTANAMO BAY, CUBA.

Witness

(b)(7)(C)

Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

SECRET NOFORN

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: V/AL ZAHARANI, YASSER TALAL/CIV
CCN: 10JUN06-MPGT-0031-7HNA

INVESTIGATIVE ACTION: RESULTS OF INTERVIEW OF

(b)(3) (b)(6) (b)(7)(C)

NARRATIVE

1. In the early morning hours of 10JUN06, three detainees were found hanging inside Alpha Block of Camp 1 at Camp Delta, Joint Task Force Guantanamo Bay, Cuba. Reporting Agent (RA) interviewed (b)(3) (b)(6) (b)(7)(C), at Camp Delta, Bldg 1, regarding her knowledge of the circumstances surrounding the discovery of three detainees, hanging inside Alpha Block cells, during the early morning hours of 10Jun06.

2. For background (b)(3) (b)(6) (b)(7)(C) hour shift commenced at approximately 1700, on 09Jun06. MA2 (b)(3) was assigned to work Escort Control.

NCIS b2
3. (b)(3) (b)(6) (b)(7)(C) advised on 10Jun06, she was working Escort Control with (b)(3) (b)(6) (b)(7)(C) when they responded to the Alpha block in response to the 1st (b)(2) being called. (b)(7)(C) indicated (b)(2) is the code word for a suicide attempt. (b)(3) 5 USC stated she and (b)(3) (b)(6) went to the Detention (DET) Clinic with the 1st hanging victim, V/AL ZAHARANI, (ISN 093). (b)(7)(C) stated she rode in the Naval Station Hospital Guantanamo Bay, Cuba (NAVHOSP GTMO) ambulance with ISN 093, during transport to NAVHOSP GTMO. (b)(3) (b)(6) advised she was at the hospital from approximately 0115-0150, on 10Jun06. (b)(3) (b)(6) explained she never saw any signs of life in ISN 093. MA2 (b)(3) stated ISN 093 was already blue when he was at the DET Clinic.

BIOGRAPHICAL DATA

EMPLOYMENT: (b)(3) (b)(6) (b)(7)(C)

SSN:

DOB:

POB:

ADDRESS:

Reported By:

(b)(7)(C)

Office:

NCISRU GUANTANAMO BAY, CUBA

EXHIBIT (32)

WARNING

STATEMENT

Place: NCISRU Guantanamo Bay, Cuba

Date: June 15, 2006

(b)(3) At this time, I, (b)(3) (b)(6) (b)(7)(C) make the following free and
(b)(6) voluntary statement to (b)(7)(C) whom I know to be a Special Agent with the
(b)(7)(C) Naval Criminal Investigative Service (NCIS). I make this statement of my own free will
and with no threats made to me or promises extended. I fully understand that this
statement is given concerning my response to a (b)(2) alert at Camp Delta,
Guantanamo Bay, Cuba, and my subsequent work in transporting an apparent suicide
victim, Yasser Talal AL ZAHARANI, Internment Serial Number (ISN) 093, to the Naval
Hospital, Naval Station, Guantanamo Bay (b)(3)
(b)(6)
(b)(7)(C)

For the purpose of identification, my full name is (b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) (b)(7)(C)

(b)(7)(C)
I am assigned to Joint Task Force (JTF) Guantanamo Bay, Cuba. I am part of the Navy
Expeditionary Guard Battalion (NEGB), escort division. I have been assigned here for
about five months. I have been in the escort division (b)(3)
(b)(6)
(b)(7)(C)

On Friday evening, June 9, 2006, at (b)(2) I commenced my (b)(2) as an escort
division guard at Camp Delta. Late that evening, after dinner, I heard chanting by the
detainees. A lot of detainees were chanting that night. The chanting was louder than
usual. I noticed that an interpreter was called over to the cells to try to understand what
they were saying. I had heard the detainees chanting before, but this was different.
Myself and some of the other guards were taking a break, and were smoking in a
designated smoking area. We were near enough to the blocks that we could hear the
chanting. I mentioned to my leading petty officer (b)(3) (b)(6) (b)(7)(C) that the chants
sounded different. (b)(3) (b)(6)
(b)(7)(C)

(b)(2) midnight, not too long after our break, escort control informed me us of a "Code
Yellow." This is code word for a medical emergency. My partner, MA3 DENNY (b)(2)
(b)(3) (b)(6) myself started running toward the Sally Four, where we were told to go to the Detention
(Det) Clinic. Once we got to the clinic, my partner and myself offered to assist. We
were told that ISN 093 had been found hanging in his cell. When we got to the clinic,
ISN 093 had just brought in by block guards. We were also told that there were two
more detainees being transported to the clinic, who were possible suicide victims. We
later identified these as ISN 693 and ISN 588. Our first responsibility was to monitor the
situation with ISN 093, as that was our reason for being sent to the clinic (b)(3)
(b)(6)

(b)(3) (b)(6) (b)(7)(C)

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Sworn Statement of (b)(3) (b)(6) (b)(7)(C)

NCISRU Guantanamo Bay, Cuba

June 15, 2006

(b)(3) (b)(6)
(b)(7)(C)

When we got to the clinic, we found (b)(3) that there had been a (b)(2) alert. This refers to possible suicide attempt. (b)(6)
(b)(7)(C)

When I first saw ISN 093, he was on a backboard being transported to the clinic. The medics and the block guards placed the backboard onto a bed at the clinic. The bed was of the type used at clinics, which had wheels and was mobile. I looked at ISN 093. He was right in front of me. I could see no movement and no signs of life in ISN 093. His eyelids were open, and his eyes did not move. I could see his chest. I did not remember him wearing a shirt. He had tan pants. He was not wearing any shoes. The skin on his chest was the normal color. However, his hands and feet were bluish in color. The skin underneath his toenails was purple in color. I could tell at the clinic, when I looked at him, the ISN 093 was deceased. (b)(3)
(b)(6)
(b)(7)(C)

I saw the other two apparent suicide victims, ISN 588 and ISN 693, briefly at the DET Clinic. I only saw them briefly, but I remember that their appearance was similar to ISN 093. Their hands and feet were bluish in color, and their eyelids also were open. I could tell that they were deceased also. (b)(3) (b)(6) (b)(7)(C) who works in escort control, were also at the Det Clinic and got better look at the other two detainees. (b)(3) (b)(6)
(b)(7)(C) also helped with compressions. (b)(3)
(b)(6)
(b)(7)(C)

The medics tried to get a pulse from ISN 093. They had a hard time getting the Intravenous (IV) feeder into his arm. The medics tried chest compressions. They kept saying they couldn't get a pulse. There were Det Clinic medical staff there, as well as paramedics. I remember that they set up the electrodes for a defibrillator, but I don't recall them actually using the defibrillator. They may not have been able to use the defibrillator. (b)(3) the paramedics showed up so fast and prepared him for transport to the hospital. (b)(6)
(b)(7)(C)

I don't recall just how long we were in the Det Clinic. I would say we were there for roughly half an hour. An ambulance came right up the Det Clinic. They brought their own stretcher. We helped the medics lift the backboard, with ISN 093's body, onto the ambulance stretcher. We then helped the medics put the stretcher into the ambulance. I found a medic to come over and drive the ambulance. We rode in the ambulance to the hospital. I rode in front of the ambulance. My partner, (b)(3) (b)(6)
(b)(7)(C) rode in back and helped two paramedics with chest compressions. They had an oxygen mask which they were holding on to ISN 93's nose and mouth. They were also performing CPR in the ambulance. The driver of the ambulance was one of our own Det Clinic medics, from the camp. The two medics in back were from the Naval Hospital. (b)(3)
(b)(6)

(b)(3) (b)(6) (b)(7)(C)

NCIS

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Page Three of Four Pages
Sworn Statement of (b)(3) (b)(6) (b)(7)(C)
NCISRU Guantanamo Bay, Cuba
June 15, 2006

(b)(3)
(b)(6)
(b)(7)(C) We arrived at the Naval Hospital, on the base, at roughly 0100. I remember the doctors worked on ISN 093, trying to revive him, from roughly 0115 to 0150. At the hospital, they put more medicine into the IV. They did more chest compressions. These attempts to revive ISN 093 were not successful. At about 0150, a doctor at the Naval Hospital pronounced ISN 093 dead. (b)(3)
(b)(6)
(b)(7)(C)

While we were at the hospital, a commander called us from the Det Clinic, inquiring as to the status of ISN 093 and wanting to know if ISN 093 was still alive. I explained to her on the phone that we were still trying to revive ISN 093. I tried to pass on her call to the doctors, but they did not take the call as they were still busy working on trying to revive ISN 093. The commander called three times, inquiring about the status of ISN 093. I took the first call, (b)(3) (b)(6) (b)(7)(C) took the second and third calls. I don't remember that the doctors at the hospital ever got back to the commander at the Det Clinic, as they were busy trying to revive ISN 093. (b)(3)
(b)(6)
(b)(7)(C)

After ISN 093 was pronounced dead, the medics put a blanket over his body. A sergeant major told us to return to the camp. One of our other LPO's took us back to camp. (b)(3)
(b)(6)
(b)(7)(C)

When we got back to the camp, it was chaotic. All the escorts, and all the block guards, were recalled. The camp was alive with activity, and with many guards. This was around 0200 to 0230. We were all directed to one of two locations, to be interviewed by NCIS. Half of us went to the Detention Operations Center (DOC), and half to another location, to be interviewed by NCIS. An NCIS Special Agent, whose name I believe was (b)(7)(C), interviewed me at the DOC. (b)(3)
(b)(6)
(b)(7)(C)

We were asked to stay at the DOC for a while after we were interviewed. I took a friend home, because she was sick, so I left just before 0500. My friend, another guard who worked at Sally Four, was crying and was vomiting. I believe this may have been related to the stress of responding to all the calls at Sally Four. My chief told me to take her home. She had to talk to the chaplain about combat stress. Her name was MA2 (b)(3)
(b)(6)

(b)(3)
(b)(6) She has been given medical attention and counseling. (b)(3)
(b)(6)

(b)(3) (b)(6)
(b)(7)(C) Since the three apparent suicides on Saturday morning, I have continued to work my shifts on escort duty. I have learned that some of the rules for detainees have been changed, to reduce the opportunity of hanging attempts. For example, the detainees are allowed to use their sheets only when they are sleeping. They give the sheets to them at taps, and then they pick them up in the morning. This prevents the detainees from hanging up the sheets in their cell. (b)(3)
(b)(6)
(b)(7)(C)

Page Four of Four Pages

Sworn Statement of (b)(3) (b)(6) (b)(7)(C)

NCISRU Guantanamo Bay, Cuba

June 15, 2006

(b)(3)
(b)(6)
(b)(7)(C) In summary, I was able to observe ISN 093 at close range and was able to assist the
(b)(3)
(b)(6)
(b)(7)(C) medics in their attempts to revive him. I stayed with ISN 093 at the Det Clinic, assisted
as he was transported via ambulance, and stayed with ISN 093 at the hospital. I also
observed the other two apparent suicide victims, but only briefly.

(b)(3)
(b)(6)
(b)(7)(C) I would like to cooperate fully with this investigation. I am available to answer
additional questions upon request.

(b)(3)
(b)(6)
(b)(7)(C) I have provided this statement, consisting of this and the previous ^{three} ~~two~~ pages, to (b)(7)(C)
(b)(7)(C) who has typed it for me at my request. I have been given the
opportunity to review this statement, and to make any changes or corrections as desired.
I have placed my initials over any changes or corrections. I have read and understand (b)(3)
this statement. This statement is the truth to the best of my knowledge and belief. (b)(3) (b)(6)
(b)(7)(C)

Sworn to and subscribed before me this fifteenth day of June, 2006, at NCISRU
Guantanamo Bay, Cuba.

Witnessed:

(b)(7)(C)

Authority: Derived from Article 136, UCMJ (10 USC 936) and 5 USC 303

STATEMENT

Place : Guantanamo Bay, Cuba

Date : June 15, 2006

(b)(3) (b)(6) 3:10 USC (b)(7)(C) make the following free and voluntary statement to (b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the three detainee deaths which occurred between 09Jun06 and 10Jun06. (b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) (b)(7)(C) On 09Jun06 at approximately 1830, I was assisted by (b)(3) (b)(6) (b)(7)(C) with an escort from Gold Building to Foxtrot Block. As we approached Foxtrot Block, I heard some loud singing. This was unusual because normally only a few detainees would sing at one time. On this date, it sounded like the whole block was singing songs. We arrived at Foxtrot Block and dropped off the detainee. I asked a guard who was standing near a translator what was going on. The translator said they were singing but did not specifically say what they were singing about. I then returned back to my duty station. I left my duty station to get fresh air at 2230. I could still hear singing coming from Camp 1 but it was not as loud as before. (b)(3) (b)(6)

NY 62 (b)(3) (b)(6) I carried out my normal duties until 10Jun06 at approximately 0045. A call come into escort control that they had a (b)(2) in Alpha Block. A (b)(2) indicates a low level of medical assistance is needed. A team was dispatched to the location for assistance but I am unsure of the exact personnel. At approximately two minutes after the escort team left, someone came the escort control and yelled, (b)(2) Camp 1". I along with my partner (b)(3) 5 USC responded to Alpha Block to assist. I told (b)(3) (b)(6) to go to the camp to help while I went to get the restraints. After picking up the restraints I ran to Alpha Block. When I arrived some guards were standing around a cell. I am not sure of the cell number but I remember the detainee number was 588. There were already guards inside along with the guards standing outside. The detainee was already down on the deck with his head towards the rear of the cell. While we were standing at the cell, another person said, "There is another one here," or words towards that effect. The person was referring to the detainee in A-5. Approximately three guards left the cell and responded to A-5. The guard who discovered the person in A-5 needed the key and it was produced by one of the responding guards. The guard who was working on 588 needed restrains which I was carrying. I gave him the restraints and asked him what else he needed. The guard said he would need a stretcher. I left cell area and retrieved a stretcher by the front shack of Alpha Block. On my way to get the stretcher, I saw a group of guards make entry into A-5. (b)(3) (b)(6)

(b)(3) (b)(6) (b)(7)(C) After getting the stretcher, I returned to 588's cell and put the stretcher half way into the cell door. I then assisted picking up the detainee and putting him on the stretcher by his ankles. When I grabbed his ankles, they were cold. I also noticed his toe and finger nails were purple and the palm of his hands were very white. After placing him on the stretcher, I help carrying him to the hospital and we placed

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him on a bed. I stayed while the other guards returned back to Alpha Block. Three corpsman then came in and proceed to perform CPR and another put an IV into his arm. The corpsman was on his knees on the side of the bed while performing chest compressions. I assisted in keeping the corpsman from fall off the bed by holding his back. I also witnessed a black female lieutenant bring in the electrodes and attached them to the detainee's chest. She shocked the subject approximately three times but got no response. The corpsman rotated positions and kept giving them chest compression but got no response. After several minutes, a (b)(2) doctor in civilian cloths entered the room. The doctor tried to open the detainee's mouth to give him medical attention but it was too stiff. He then left and the corpsman proceed with CPR. The doctor returned and asked a corpsman what time it was. The corpsman said, "0115". The doctor said, "I pronounce him dead at 0115." After that, all the corpsman left the room but I stayed with the body. (b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) were in the room with the other body. During my time in the clinic, there were only two bodies there. I was relieved at approximately 0130 and told watch the other body at the main hospital. (b)(3) (b)(6) came into my room at the clinic and we both left to go to the big hospital (b)(3) (b)(6)

(b)(3) (b)(6) When we arrived at the hospital, we were told we would not be needed. We then went back to escorts. (b)(7)(C) I am not sure of the time but I was told to relieve (b)(3) (b)(6) who was one of the three escort guards watching the two bodies. I relieved him and documented who come into the room. NCIS investigators along with combat camera personnel later entered the room and I turned over my documentation. I waited outside the room until investigators were done with their investigation. The bodies were put into bags and moved to the morgue by ambulance. We were no longer needed so we went back to escort control. During the incident, I did not know the name of the guards and medical personnel involved. (b)(3) (b)(6)

(b)(3) (b)(6) Based upon my training at Fort Lewis and training here, it taught that nothing should be hung above the beanhold. In some blocks there is a black line painted on the fence of cells indicating that nothing can be hung above the line. Based upon my experience escorting, each camp is operated differently. I have seen blankets and other items hanging before but I never saw items hung as high as I did on the night in question. (b)(3) (b)(6)

(b)(3) This statement, consisting of this page and 1 page(s) was typed for me by (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief. (b)(3) (b)(6)

Signature (b)(3) (b)(6) (b)(7)(C)

Sworn and subscribed before me this 15 day of JUNE (b)(3) (b)(6) the year at 2006

Witnessed: (b)(7)(C)

Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

10JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF INTERVIEW OF (b)(3) (b)(6) (b)(7)(C)

Please note the original transmission(s) of this IA contained errors in the "Header" portion. Any previous transmissions of this IA should be destroyed. This transmission supercedes all others and contains revised "Header" information.

NARRATIVE

1. In the early morning hours of 10Jun06, three detainees were found hanging inside Alpha Block of Camp 1 at Camp Delta, Joint Task Force Guantanamo Bay, Cuba. Reporting Agent (RA) interviewed (b)(3) (b)(6) (b)(3) (b)(6) at Camp Delta, Bldg. 1, regarding her knowledge of the circumstances surrounding the discovery of three detainees, hanging inside Alpha Block cells, during the early morning hours of 10Jun06.

2. For background (b)(3):10 USC 12-hour shift commenced at approximately (b)(2) on 09Jun06. (b)(3):10 USC was assigned to work Escort Control.

3. (b)(3):10 USC advised on 10Jun06, she was working Escort Control with §130b.(b)(6),(b)(7) when they responded to the Alpha Block in response to a (b)(2) being called. (b)(3):10 USC indicated (b)(2) is the code word for a suicide attempt. (b)(3) (b)(6) stated she ran following other military members to Alpha Block, Cell A-12. (b)(3):10 USC (b)(3):10 USC d she could not see anything because of other people. MA2 then went to Cell A-5, where she observed a detainee hanging. This detainee was identified as V/AHMED (ISN 693). (b)(3):10 USC pulled at cloth material, which was wrapped around ISN 693's neck. MA2 (b)(3):10 USC was able to unravel enough of the material so that others could get ISN 693 down. Once down (b)(3):10 USC continued to unwrap the material from his neck. (b)(3):10 USC advised the material felt to be soft similar to t-shirt material. (b)(3):10 USC helped put ISN 693 on a backboard and carry him to the Detention (DET) Clinic. (b)(3):10 USC stayed at the DET Clinic and helped to stabilize a corpsman that was performing Cardio Pulmonary Resuscitation (CPR) on ISN 588, the hanging victim from Cell A-12. (b)(3):10 USC indicated she observed a deep indentation on the neck of ISN 693. She added that his pupils were fixed and dilated, his fingernails and feet purple. (b)(3):10 USC did not witness any signs of life on either ISN 693 or ISN 588 while she was around them. (b)(3):10 USC stated she thought ISN 693 was pronounced dead at approximately 0112, on 10Jun06 and that ISN 588 was pronounced dead at approximately 0115, 10Jun06. (b)(3):10 USC indicated both ISN 693 and ISN 588 were in the DET Clinic when they were pronounced dead.

BIOGRAPHICAL DATA

EMPLOYMENT: MA2 USN, JTF-GTMO, NEGB

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WARNING

SUBJ: V/AL ZAHrani, SSER TALAL/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

SSN:

(b)(3) (b)(6) (b)(7)(C)

DOB:

POB:

RESIDENCE:

REPORTED BY: (b)(7)(C)

OFFICE: NCISRU GUANTANAMO BAY, CUBA

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Page 2

LAST

(b)(7)(C)

V2 LNY

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AUTHORIZATION FROM THE NAVAL CRIMINAL INVESTIGATIVE SERVICE.

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STATEMENT

Place: Building 760, NCISRU Guantanamo Bay, Cuba

Date: 14JUN06

(b)(3) this time, I, (b)(3) (b)(6) (b)(7)(C), make the following free and voluntary statement to (b)(7)(C), whom I know to be a Special Agent (SA) with the Naval Criminal Investigative Service (NCIS). I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my response to a (b)(2) alert on 10JUN06, in NCIS b2 which I observed a detainee, Ali Abdulla AHMED, Internment Serial Number (ISN) 693, hanging in his cell and immediately assisted my fellow guards to take him down. (b)(3)

(b)(3) INTRODUCTION

(b)(3) For the purpose of identification, my full name is (b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) (b)(7)(C)

(b)(3) COMMENCING MY SHIFT

(b)(3) At approximately (b)(2) on 09JUN06, I commenced my (b)(2) as a guard at Camp Delta. I was assigned to escort department. There is an escort control room, located on Camp Delta, in which escorts are dispatched as required. When I came on shift, there were approximately six persons, including myself, on shift for escort control. My team handled about three moves on Friday evening. That evening the detainees started chanting at about 1900, and I could hear them from where I was in Camp 1. The chants sounded louder than normal to me. I recall that an interpreter was standing near the block, alongside another guard, and actively listening. I could tell that the interpreter was trying to understand what the chants were saying. (b)(3) (b)(6)

(b)(3) RESPONDING TO (b)(2) FOR ISN 693

NCIS b2 (b)(3) Early the following morning, on 10JUN06, I continued to work escort duty. I was (b)(2) with (b)(3) (b)(6) (b)(7)(C) who was my partner. I recall that there was a (b)(2) Yellow, sometime after midnight, which pertained a minor medical matter. One of the (b)(2) responded to that code. Upon his return, he immediately shouted "snowball". NCIS b2 "Snowball" is a code word for attempted suicide. We immediately got up and ran to Alpha Block. I ran to accompany other guards to cell A-12, but I couldn't see anything there because there were so many people. Another guard proceeded to make the rounds to make sure that the other cells were OK, but then she also called a (b)(2) alert, this NCIS b2 time at cell A-5. I ran, along with (b)(3) (b)(6) to cell A-5. At the moment I entered cell A-5, I could tell that ISN 693 was hanging. (b)(3) (b)(6) had entered the cell just slightly before me, and started to take ISN 693 down. (b)(3) (b)(6) myself and another guard were able to take ISN 693 down and lay him on the floor. (b)(3)

(b)(3) (b)(6) (b)(7)(C)

14JUN06

(b)(3) (b)(6) (b)(7)(C) held up ISN 693's body, while another guard cut the apparatus holding the body up. I helped the other guard to find the right place to cut the apparatus. (b)(3) and the other guard then lowered the body to the ground, while I continued to remove the cloth material from around his neck. The cloth material around ISN 693's neck appeared to be twisted, as though there could have been several pieces tied together. I also noticed that there was some material around at least one of ISN 693's wrists. The cloth material around ISN 693's neck was beige to white in color. The cloth material around the wrist was the same color. I also noticed, just as I entered the cell and before we started taking the body down, that there was some material, blue in color, right next to ISN 693's head. Since we started to take the body down immediately, I didn't get a chance to see what the material was attached to, nor do I recall what had connected the body to the material. I also do not know how the cloth material, around the neck, was attached to the overhead or the wall. (b)(3) (b)(6)

(b)(3) As mentioned above, ISN 693 had cloth material around his neck. After the body was laid down, I finished removing the cloth. The cloth material was soft, and was similar to tee shirt material. As to ISN 693's body, as I observed it at this time, I could tell that his eyes were dilated, eyelids half to three quarters opened. There was a large indentation around his neck, and I was immediately struck with how deep the indentation was. I remember seeing this indentation as a crescent shape toward the side of his neck. I noticed the indentation after we lifted his chin. (b)(3) (b)(6) checked for a pulse, for a chest rising, but there was no motion and no sign of life. ISN 693's fingers were blue, behind the fingernails. His toes were also blue. The skin on his face and arms appeared to be a normal color and hue. I helped the other guards to place ISN 693's body on a backboard and carry it to the Detention (DET) Clinic. (b)(3) (b)(6)

(b)(3) As previously stated, we moved to take ISN 693 down from the apparatus very quickly. As a result, I do not recall whether, upon our first entry, if ISN 693's feet were dangling or touching the ground. The body itself was pliable enough that we were able to move the chin up, at which point we examined the indentation in the neck. The body was not completely stiff, like a board; it was still pliable. (b)(3)

(b)(3) ASSISTING CORPSMEN IN ATTEMPTS TO REVIVE ISN 588

(b)(6) After we laid ISN 693 down at the DET clinic, I heard that more help was needed in the next room. I went to the nearby room. A corpsman was conducting cardiopulmonary resuscitation (CPR) on another hanging victim, ISN 588. ISN 588 was laying on a table. The corpsman was kneeling on the side of the table, with his knees toward the edge of the table and the rest of his legs and his feet over the side of the table. (b)(3) (b)(6) (b)(7)(C) and myself assisted by corpsman, by stabilizing his body. We held on to both his feet and his legs, keeping together and in place as he administered the body compression. (b)(3) (b)(6)

Page Three of Five Pages

Sworn Statement of (b)(3) (b)(6) (b)(7)(C)

NCISRU Guantanamo Bay, Cuba

14JUN06

(b)(3) (b)(6) (b)(7)(C)

and I helped a corpsman, who was performing (CPR) on another hanging victim, ISN 588. The corpsman was conducting chest compressions, and was on his knees, on the table where ISN 588 was laying. I helped to stabilize the corpsman, by holding down his legs and keeping them together. The corpsman did shifts for CPR with a second corpsman. I then went to the other side of the table, and assisted holding an oxygen mask in place over the detainee's mouth. While I was holding the oxygen mask in place, I moved the detainee's hand out of the way, so I could do a better job holding the oxygen mask in place. I don't recall off hand if I was able to bend the elbow. There was a problem because the detainee's mouth would not open, so another corpsman arrived with a special instrument to try and pry the detainee's mouth open. She struggled, and she was able to open the detainees' lips, but the detainee's teeth were clenched shut. I noticed at this point, when the lips were opened, that there were a large number of small pieces of goldish brown material, in the detainee's mouth. I could not tell for sure what these were. I was unable to tell if they were, for example, pieces of food or some other substance. (b)(3) (b)(6)

(b)(3) (b)(6) (b)(7)(C) A surgeon also came to assist, but was still unable to pry the detainees' jaw open. The detainee's jaw was clenched shut. I heard this same physician comment that the body appeared to be in the preliminary stage of rigor mortis. ISN 588's chest was a natural color. Only the fingers and toes were blue in color. (b)(3) (b)(6)

At one point, while the corpsmen were attempting life saving measures for ISN 588, they attempted to revive him using a machine, which had tubes which connected from a machine to the detainee's body. We were told to stand clear. This device, which was probably a defibrillator, yielded no response and no movement on the part of ISN 588.

(b)(3) (b)(6) (b)(7)(C) was in the room for part of the time that the corpsmen were trying to revive ISN 588. (b)(3) (b)(6)

PRONOUNCEMENTS OF DEATHS OF ISN 693 AND ISN 588

ISN 693 was pronounced dead at 0112, and ISN 588 was pronounced dead at 0115.

These pronouncements were both made at the clinic. (b)(3) (b)(6)

I went to the original room to look at ISN 693. (b)(3) (b)(6) (b)(7)(C) was talking to MA1

(b)(3) (b)(6) He told him to take charge of the bodies and not let anyone enter the room any more. Admiral Harris provided a quick de-brief to us, and thanked us for our cooperation in handling this situation. (b)(3) (b)(6)

(b)(3) (b)(6) INITIAL INFORMATION ON ISN 09 (b)(2) NCIS b2

By this time, I already knew, from contact with other camp personnel, that there was a third (b)(2) alert. I later found out that this referred to a third hanging victim. This (b)(3) (b)(6)

NCIS
b2

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(b)(3) (b)(6) (b)(7)(C)

NCIS

Page Four of Five Pages

Sworn Statement of (b)(3) (b)(6) (b)(7)(C)

NCISRU Guantanamo Bay, Cuba

14JUN06

(b)(3)
(b)(6)
(b)(7)(C)
C) Third hanging victim was identified as ISN 093. (b)(3) (b)(6) (b)(7)(C) told me we needed a team to go to the base hospital, to see what the situation was with ISN 093. (b)(3) (b)(6)

TRIP TO NAVAL HOSPITAL TO MONITOR ISN 093

(b)(3) (b)(6) (b)(7)(C) drove myself and (b)(3) (b)(6) (b)(7)(C) to the Naval Hospital. This hospital is on base, but is outside Camp Delta. We came to the acute care section. There was another team of escorts there, accompanying the body of ISN 093. These escorts advised us that no further escort guards were required for ISN 093. These escorts included (b)(3) (b)(6) (b)(7)(C) and her partner. When we realized that no further escorts were required, we decided to return to Camp Delta. We gave a ride to the other team, as well as a legal officer who was monitoring the situation. We dropped the legal officer off at another location, and then we returned to Camp Delta. (b)(3)

I remember that we arrived back at Camp Delta at about 0200. As soon as we got back, a recall of escorts was in progress. We could see more escort teams were in the area. We were told to come to the conference room. At that time, we took turns talking to an NCIS agent, (b)(3) (b)(6) (b)(7)(C)

SUMMARY

In summary, I responded to a (b)(2) alert and assisted in taking ISN 693 down from the hanging position. After transporting ISN 693 to the DET Clinic, and while at that clinic, I also assisted corpsmen attempting to revive ISN 588. I was able to observe the condition of the bodies of both ISN 693 and ISN 588. I did not learn of the (b)(2) on ISN 093 until some time after it had happened. (b)(3) (b)(6)

I did not receive any specific indicators, in advance, that these three hanging incidents would take place. I was aware that there were other incidents of attempted suicides before, but nothing pointed to something happening that night. (b)(3) (b)(6)

NO FURTHER ENTRIES
CONTINUED ON NEXT
THIS PAGE
PAGE

(b)(3)
(b)(6)
(b)(7)(C)

(b)(3) (b)(6) (b)(7)(C)

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Page Five of Five Pages

Sworn Statement of (b)(3) (b)(6) (b)(7)(C)

NCISRU Guantanamo Bay, Cuba

14JUN06

(b)(3)
(b)(6)
(b)(7)(C) The above information completes my narrative on the events of the morning of 10JUN06.
(b)(3)
(b)(6) I would like to cooperate fully with this investigation, and I am available to answer additional questions upon request.

(b)(3)
(b)(6)
(b)(7)(C) I have provided the above statement, consisting of this and the previous four pages, to SA (b)(3) (b)(6) (b)(7)(C), who typed it for me at my request. I have been given an opportunity to review this statement, and to make any changes or corrections as desired. I have placed my initials over any changes or corrections. I have read and understand this statement. This statement is the truth to the best of my knowledge and belief. (b)(3)

(b)(3) (b)(6) (b)(7)(C)

Sworn to and subscribed before me this fourteenth day of June, 2006.

(b)(7)(C)

Witnessed:

Special Agent, Naval Criminal Investigative Service

Authority: Derived from Article 136, UCMJ (10 USC 936) and 5 USC 303

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

17JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF RE-INTERVIEW OF (b)(3) (b)(6)
(b)(7)(C)

1. On 16Jun06, Reporting Agent re-interviewed (b)(3) (b)(6) (b)(7)(C) at NCISRU Guantanamo Bay, Cuba regarding her response to cell A5 at Camp Delta, Camp 1, A-Block on 10Jun06.

2. According to (b)(3) (b)(6) she responded to Cell Block A for a reported Snowball (suicide attempt). When she got there, she went directly to cell A12, but it was too crowded with guards for her to go in. A short time later, she heard a report of a (b)(2) in A5 and followed (b)(3):10 to that cell. NCIS b2

3. (b)(3):10 USC (b)(3) (b)(6) (b)(7)(C) entered the cell and helped hold up the detainee in A5 while another guard cut him down. MA2 (b)(3):10 said she was standing on the left side of the cell, holding back a blanket tied to the wall. She then saw an arm with shears in hand come over her right shoulder to cut the cord around the detainee's neck. (b)(3):10 USC said she grabbed the hand and shears and moved them to a better location, and then the other guard cut the detainee free. (b)(3):10 USC said she did not cut the cord, and she did not see the person who did. She assumed it was a guard from A-Block.

4. (b)(3):10 USC §130b.(b)(6).(b) had no other new information to report.

REPORTED BY: (b)(7)(C) Special Agent
OFFICE: NCISFO Washington, DC

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Page 1 LAST MJL V2 LNY

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EXHIBIT (37)

1028

DELETED PAGE INFORMATION SHEET

withheld entirely at this location. One or more of the following explain this decision:

☒ Documents originated with other government agency(ies).
Referred for review and direct response to you.

Pages contain information furnished by other government agency(ies). We will advise you of releasability of information following consultation with agency(ies).

Comments: Referred to the Criminal Investigation Task Force

NCIS

SECRET

NOFORN
STATEMENT

Place : Guantanamo Bay, Cuba

Date : June 14, 2006

I, (b)(3) (b)(6) (b)(7)(C) make the following free and voluntary statement to (b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the three detainee deaths in Camp Delta, Block Alpha, which occurred between 09Jun06 and 10Jun06.

(b)(3) (b)(6) (b)(7)(C)

(b)(3) On 09 June 06, I reported for duty at (b)(2) to the (b)(2) area the detainee clinic. The (b)(2) is an area outside the detainee medical area that we muster before duty. I reported for duty at (b)(2) Block at (b)(2). We conducted normal block operations during the first part of the night. I went to chow with (b)(3):10 USC (b)(6) (b)(7)(C) at 1140. At 0025, I reported back to (b)(2) for duty. I was at Fox Block for approximately two minutes and then went off the block to A Block to talk with their guards on duty. When I walked up the stairs, I saw (b)(3) (b)(6) (b)(7)(C) (b)(3):10 in the shack and (b)(3) (b)(6) in the tear of A Block. At this time, nothing out of the ordinary was happening. I then saw (b)(3) (b)(6) (b)(7)(C) outside of cell A-8 trying to get the subjects attention. At this time, I went down to A-8 in order to assist them with the situation. They were knocking on the cell and calling his identification number, but there was no response. They could see a blanket on the rack with what appeared to be the detainee underneath. (b)(3) (b)(6) reached the beanhole and tugged on the blanket to try and get the detainee's attention, but there was no response. He then pulled the blanket away and only saw cloths on rack. I then noticed a blanket hanging up diagonally in the cell near the sink. I also saw another sheet or another half of the blanket covering up the cell wall behind the diagonally hung blanket. In addition, I also saw about a quarter of the shutter to the cell covered up. My first thought was that the detainee was behind the blanket and I was unsure of what he could be doing. (b)(3) (b)(6) said, "No one was in there." (b)(3) went to advise everyone else of the situation and to get the (b)(2) keys. When everyone else was coming to the cell, I decided to go outside the block and look through the shutter into the cell to try and get a look behind the sheet. I estimate it took me seven seconds to leave the front of the cell door and arrive at the outside shutter of A-8. When I tried to look in, there were objects hung-up inside obstructing my view. I had to climb up on a big, metal stand that divides the cell to get a view inside. I had to pull myself up to the shutter and begin to poke through the mesh in order to get the stuff out of the way. The items in the shutter were a prayer rug, underwear, and socks. Once they fell, I leaned over to look inside. At this time I saw the detainee hanging by his neck. His face was towards me with his head slouching down, a rag in his mouth, some sheets tore up to make rope and the rope was tied around his head, but I am unsure of the exact positioning. I looked down and saw his hands hanging at waist level. The back of his hands were toward the shutter and there was cloth made into a rope which made it appear that the hands were tied. The fingers were curled up into fists. I saw the detainee's feet off the ground approximately one and a half inches with no shoes on. The detainee appeared stiff and

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there was no movement. I yelled, "He's hanging, get in there". I stayed on the metal box and looked through the shutter while I saw the guards open the door, the blankets being ripped down, and MA1 (b)(3) pick up the body by the waist. I then left and went around to the front of the cell to assist. (b)(3) (b)(6)

(b)(3) On the way back, I realized we were going to need a stretcher. I went to the guard tower to get the stretcher and was assisted by (b)(3) (b)(6) (b)(7)(C) to take the stretcher inside to the cell. As he took the stretcher, I got a pair of medical gloves and put them on and arrived at the front of the cell. The detainee was already cut down laying on the floor, shackled and handcuffed. The rope on his hands was cut. All helped putting the detainee on the backboard and strapping him down. I noticed his skin color had changed and he was cold. At that time, I recall the guards who carried the detainee out on a board as; (b)(3) in the front, left side; (b)(3) (b)(6) in the front, right side; (b)(3) was on the right side middle; (b)(3) (b)(6) was on right side back; and I was on the left side middle. I am unsure who was behind me. We took the detainee to the detainee clinic. He was put down on a bed and I stayed with him holding the backboard. (b)(3) (b)(6) stayed behind with me and sent everyone else back to A Block. The senior chief, unsure who it was, came in and began asking questions, which were being answered by (b)(3) (b)(6). I stood back from the body while medical staff working on him. The corpsman needed the handcuffs off to work on the detainee so I took out my key and removed the cuffs. At this time, I heard on the radio, (b)(2) A-12". I began running back when I realized we would need another stretcher. (b)(3) (b)(6) was running behind me when I stopped. I told him we would need a stretcher and did not see one around. (b)(3) (b)(6) decided to go back to the clinic for the stretcher while I decided to continue on to A-BLOCK. (b)(3)

When I arrived at A-12, the detainee had already been cut down. I am unsure who was there at the time. He was already shackled and handcuffed and were waiting for the stretcher to get there. During this time, I heard the call for assistance with A-5 by (b)(3) (b)(6) (b)(7)(C) arrived with keys to A-5. Two guards went inside before me, but I do not know who they were. There was a blanket hung in the same way as A-8. When the door was opened, the two guards went to either side of the blanket to untie it. I grabbed the nearest side of the sheet and pulled it down. When the blanket came down, a fourth person come in and picked the hanging detainee by the waist for someone else to cut him down. The body was relatively the same set up as A-8 with the hands tied, same cloth on his head, but there was nothing in his mouth. I began yelling to others outside the cell for shears to cut the detainee down. I believe (b)(3) (b)(6) arrived with the shears and cut A-5 down. After the cut, I gained control of the detainee's head and slowly lowered him to the deck. We did not have restraints, so I walked out to find some. There was a MA1 from escorts, name unknown, who had restraints and told him to give them to me. I then went back into the cell, separated the restraints by giving the shackles and handcuffs to other to be put on the detainee. I then went back to A-12 to assist. (b)(3)

(b)(3) When I arrived at A-12, the detainee was still in the cell with (b)(3) (b)(6) (b)(7)(C) and another unknown person. (b)(3) (b)(6) grabbed the head, I grabbed the body, and the unknown MP took the feet. We carried the detainee out and put him on the stretcher. Other assisted with strapping the detainee to the board. About five of us assisted caring him away. (b)(3) was in the front, I was in the back left, (b)(3) 5 USC was in the back right, (b)(3) (b)(6) was in the middle right, it was either MA1 from escorts, unknown name, or the Chief was in front right. As I was caring the detainee from A-12, I noticed his eyes were opened. As we carried the detainee to the clinic, I told (b)(3) (b)(6) to go back to the block to assist because we did not know if there were other victims. (b)(3) (b)(6) went back to the block and the remaining four of us took the detainee to the clinic. When we got to the clinic, MA1 from escorts stayed with the body and assisted the corpsman. As I left, I saw seven or eight others bring in the detainee from A-5. I then went back to A Block to see if they needed additional assistance. There were lots of people on A Block so I decided to go back to (b)(3) (b)(6) (b)(7)(C)

(b)(3) I remained on (b)(2) waking people up to check on their status. During my rounds, I was asked by (b)(2) what was going on. I told him I did not know. He replied, "What cell number? I told him I

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didn't know. He then said, "You don't have to tell me, I already know." He then said, "Do you know why?" I told him no. He replied, "It is because of the Coronal Blanca". I told him he is a Coronal and we are MP's, he is going to do what he wants. Later on in the night, I remembered the loud chanting around 2000. It is normal for the detainees to chant on Fridays, but this Friday was abnormal because of how loud the chanting got. Normally, a few will chant, but this time it seem all of A Block was chanting. I worked the rest of the night normally until I was told to come and be interviewed by investigators. (b)(3):5 USC

(b)(3) In the eight month I have been here working in the detention camp, I am cussed at daily. I was assaulted a month and a half ago when a detainee tried to punch me in the face. I also get threatened to have urine thrown on me. (b)(3)

(b)(3) This statement, consisting of this page and 2 page(s) was typed for me by (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief. (b)(3) (b)(6)

Signature: (b)(3) (b)(6) (b)(7)(C)

Sworn and subscribed before me this 14 day of JUNE in the year at 2006

Witnessed: (b)(7)(C)

Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

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STATEMENTPLACE: NCISRA Guantanamo Bay, CubaDATE: 14JUN06

(b)(3)
(b)(6)
(b)(7)(C)
(C) I, (b)(3) (b)(6) (b)(7)(C) make this free and voluntary statement to (b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the death of three detainees found hanged on 10JUN06 inside Alpha Block, Camp 1 aboard the Joint Task Force Guantanamo Bay, Cuba. (b)(3):5 USC

(b)(3) (b)(6) (b)(7)(C)

On 09JUN06, I was at Camp One (1) Delta Block when (b)(3) (b)(6) (b)(7)(C) the shift Platoon Leader, requested me to talk to (b)(3) (b)(6) regarding his leave chit MA3 (b)(3) submitted. I was to instruct (b)(3) to alter his leave plans since we would be staffed under the sufficient amount of personnel if he took leave as it was then scheduled. I departed (b)(2) Block and went to Alpha block, where I knew (b)(3) to be working. When I entered Alpha Block, I walked into the NCO "shack", the main control point for the block. I saw (b)(3) standing with (b)(3) (b)(6) on the tier of Alpha Block. I called for (b)(3) to come into the guard shack so we could reschedule his leave. He entered the guard shack and we began to discuss his leave schedule. During this time frame, (b)(3) (b)(6) was seated at his desk and having a routine conversation on the telephone. I talked to (b)(3) for approximately three to five (3-5) minutes when (b)(3) (b)(6) opened the door and stated: "We're missing a detainee, and I can't see him." I, along with (b)(3) (b)(6) (b)(7)(C), whom I don't remember being in the guard shack, went to investigate (b)(3)'s allegation of the missing detainee. (b)(2) stopped in front of ISN-093's cell, gestured toward the cell and stated he could not see the detainee who was supposed to be inside. I noticed a blanket hanging from the ceiling, extending to the floor, and partitioning the back left corner of the cell from view from where I was standing. At this time, I noticed (b)(3) (b)(6) was outside and behind the tier looking into the cell. (b)(3) stated he saw the detainee hanging from inside the cell. MA1 (b)(3) instructed someone to retrieve the (b)(2) (For informational purposes, NCIS b2 the codeword (b)(2) is used to convey self harm of a detainee. The (b)(2) kit - NCIS b2 includes EMT shears, keys to the cell (b)(2), a first aide kit, and an extra kit of sally keys.) After ISN-093's cell door lock was opened, (b)(3) (b)(6) (b)(7)(C) Z entered the cell as I remained outside. (b)(3) (b)(6) removed the blanket hanging from the ceiling and they then cut the noose to get ISN-093 down. While still suspended from the ceiling, I noticed ISN-093 as having a muzzle or something covering the his face (b)(3) (b)(6) (b)(7)(C)

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(b)(3) (S/NF) I departed the tier of ISN-093's cell and ran to the Sergeant of the Guard (SOG)

(b)(3) (b)(6) (b)(7)(C) who was located on the causeway, and informed him there was a person who hanged himself in Alpha Block. (b)(3) (b)(6) immediately went to Alpha block and I returned to (b)(2) to inform (b)(3) (b)(6) that a detainee hanged himself in Alpha Block. (b)(3) and I began to proceed to Alpha block to render any assistance if we could. It was at this time I heard the codeword (b)(2) being called on (b)(3) handheld radio. Not being assigned a radio myself, that was the first instance that I heard (b)(2) that night. I took (b)(3) to Alpha Block where we witnessed ISN-093 laying outside his cell, on the tier, strapped to a backboard. I noticed what appeared to be (b)(2)

(b)(2) The people around ISN-093 were busy attempting to detect any signs of life. They then picked ISN-093 up and started towards the Detainee Clinic in order for him to be attended to by the physician on duty. I followed them and exited Alpha block. After I exited Alpha Block, I remained immediately outside of Alpha Block to attempt to control movement in and out of the block. I was standing outside the block when I saw the second detainee strapped to a backboard and being carried to the Detainee Clinic. I remained outside Alpha Block until I was relieved by the incoming shift. (b)(3) (b)(6)

(b)(3) This statement, consisting of this page and one (1) other page was typed for me by (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief. (b)(3) (b)(6)

(b)(3) (b)(6) (b)(7)(C)

Signature

Sworn to and subscribed before me this 14 day of JUN in the year 2006 at the NCISRA offices Guantanamo Bay, Cuba.

Witnessed (b)(7)(C)

Special Agent 14 JUN 06
Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

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NAVAL CRIMINAL INVESTIGATIVE SERVICE

DELETED PAGE INFORMATION SHEET

Page(s) 1036 - 1037 Exhibit (41)

withheld entirely at this location. One or more of the following explain this decision:

☐ Deleted under exemption(s) _____

☒ Documents originated with other government agency(ies).
Referred for review and direct response to you.

☐ Pages contain information furnished by other government agency(ies). We will advise you of releasability of information following consultation with agency(ies).

Comments: Referred to the

Criminal Investigation

Task Force

Deleted pages(s)
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STATEMENT

Place : Building 760, NCISRU Guantanamo Bay, Cuba

Date : June 14, 2006

(b)(3) (b)(6) (b)(7)(C), make the following free and voluntary statement to (b)(7)(C)

(b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the three detainee deaths which occurred in the Alpha Block of Camp 1 at Camp Delta, Joint Task Force Guantanamo Bay, Cuba, during the early morning hours of 10JUN06. (b)(3)

(b)(3) (b)(6) For identification purposes, I, (b)(3) (b)(6) (b)(7)(C) am a Master at Arms (MASN), USN, JTF-NEGB, Guantanamo Bay, Cuba. I arrived at Guantanamo on 25 FEB06, and began work in Camp 1 at the end of March. On the night 09JUN06, I was assigned to (b)(3) 5 USC as a Block Guard and was also as a member of the primary Incident Response Force (IRF) of Camp 1. Camp 1 is supposed to be (b)(2). As Block Guard my duty is to be responsible for the detainees and to walk the block during my shift. As primary IRF, it is my duty to respond to incident calls from other guards in any block in Camp 1, and to restrain or handle detainees with the necessary force required for compliance. On the night of 09JUN06, my shift was from (b)(2). On the evening of 09JUN06, it was procedure to have two block guards minimum on the tier (walkway of the block) at all times. The duty of the guards is to walk up and down the block and observe the detainees. If an incident occurs on the block it is recorded by a block guard in DIMS. DIMS is the system used to record block operations constantly throughout the night. In addition to the notation in DIMS, the guard may write up a 28/23, which is a sworn statement of what happened. In some instances a SIGACT, which is a detainee note, is written in DIMS. SIGACTS are forwarded up the chain of Command and sent to the DOC. (b)(3) (b)(6)

(b)(3) I did not notice anything unusual in (b)(2) during the night of 09JUN06. I did notice that there was singing coming from Alpha block either around or right after chow time that evening (chow time should be recorded in DIMS). I do not usually hear the detainees singing. (b)(3)

(b)(3) On the night of 09JUN06, I was on (b)(2) when I heard (b)(3) (b)(6) (who may have been acting SOG at the time), state to the Platoon Leader (PL) of Camp 1, (b)(3) (b)(6) that someone on Alpha Block was hanging. As soon as I heard that said, since I was primary IRF. I was wondering if they would call the code for the IRF at the time. My block NCO, (b)(3) (b)(6) told me to head out to the causeway and help as needed. I asked (b)(3) (b)(6) if they had called primary IRF code and he said that they had, so I went to India block where we store our IRF gear. No one was there so I did not change in to IRF gear, and just went straight to Alpha Block instead. I did not hear a call for the primary IRF team, and I do not know what time it was at this point. The primary IRF code for the night was (b)(2) (b)(3)

(b)(3) (b)(6) As I got to Alpha block Sally (which is the entrance to the block), Alpha guards were already bringing the first detainee, ISN 93, out on a backboard. The detainee was strapped to the board, but I did not have time to observe anything else about him. Just as I saw the detainee, I was told to start walking (b)(3) (b)(6)

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(b)(3) (b)(6) (b)(7)(C) the block by M (b)(3) (b)(6) (b)(7)(C) he and other guards from Alpha Block passed by with the backboard.

(b)(3) (b)(6) said "Get on the block. I need somebody on the tier. Start walking the block." MASN

(b)(3) (b)(6) who was also primary IRF, was behind me at this time. For a split second before we entered A Block, the block was empty of guards because they were all attending to ISN 93, then

(b)(3) (b)(6) (b)(7)(C) turned back to assist us on the block. I entered the block and started a head count by looking into each cell and observing skin and movement. I began the head count on the right side of Alpha block with cell A48 and continued up that side. As I was doing a head count on the right side, I was also glancing over the left side as well to check on things. When I reached cell (b)(2) on the left side, I looked across the tier at cell A12, which held ISN 588. ISN 588 appeared to be sleeping on the floor of his cell with his mattress propped up vertically on the front of the cell and underneath his rack. I could only see what appeared to be the legs of ISN 588 covered by a sheet and sticking out by the end of the mattress in front of the cell door. Detainees often sleep on the floor, so I did not think this was out of the ordinary, and continued with the head count. I continued down to a couple more cells, then (b)(3) (b)(6) (b)(7)(C) walked up to me and asked me to check on cell A5, which held ISN 693, to see if the detainee was breathing. As I turned to walk towards A5, I glanced at cell A12, and realized that something was wrong, because at this point I could see the blanket hanging in the back corner of the cell where the sink is located. I took a closer look inside cell A12 but since I could not see underneath the bed, I could not determine if the detainee was definitely under the sheet, but I could tell that he probably was not underneath the sheet. I told (b)(3) (b)(6) (b)(7)(C) to go outside the tier and find out if he could see anything in the cell. While (b)(3) (b)(6) is doing this, (b)(3) (b)(6) and I were yelling at ISN 588 to wake up, but still not getting a response. I then heard (b)(3) (b)(6) say from outside the cell window "Oh Shit, (b)(2) he's hanging". At that point SOG (b)(3) (b)(6) (b)(7)(C) and others (NFI) were standing at the beginning of the tier outside the guard shack, and I yelled (b)(2) Alpha 12" at them. (b)(2) is called out when detainees are doing something to harm themselves that may result the detainee taking their own life. I did not have keys to the cell, and I do not know who opened the door to the cell door, but once the door was open (b)(3) (b)(6) (b)(7)(C) and I went into the cell. At this point I was focused on the detainee in case he was faking the situation and was potentially going to attack us, although I felt like I knew what was really going on. (b)(3) (b)(6)

(b)(3) (b)(6) The three of us entered the cell A12 and tore down the blanket and saw the ISN 588 hanging in his cell. The first thing I observed was the discoloration of his lips, which appeared blue. His eyes were open and bloodshot. I could tell he wasn't breathing. It appeared that ISN 588 has taken a T-shirt and shredded it and then tied the pieces together to make a rope. The "rope" was tied around his neck and his head several times. ISN 588 was relatively short, and I recall that he was about eye level with me when I walked into cell. ISN 588 was not kneeling, and I am almost positive that he was hanging with his feet slightly above the floor. I do not remember where his hands were, but I do not think they were restrained. Someone, I believe it was (b)(3) (b)(6) (b)(7)(C), came up behind (b)(3) (b)(6) (b)(7)(C) and I were holding the body of ISN 588, and cut the rope with scissors that were from the (b)(2) kit kept in the guard shack. We placed ISN 588 on the floor and restrained him with our hands as we waited for a backboard. I checked for a pulse, but as I did this I realized the body was cold to the touch. ISN 588 seemed a little stiff. As ISN 588 lay there on the floor (b)(3) (b)(6) (b)(7)(C) came up behind me and cut the cloth away from his head and neck, and I started pulling the cloth off. ISN 588 had dark bruising around his neck from the cloth. I remember someone, I think it was PL (b)(3) (b)(6) asking me how he (ISN 588) was doing and I said he was gone. (b)(3) (b)(6) (b)(7)(C) (b)(7)(C) R put cuffs and ankle bracelets on ISN 588 as the backboard arrived. (b)(3)

(b)(3) (b)(6) While ISN 588 was on the floor and before the backboard came I heard someone call (b)(2) for Alpha 5. I stayed with ISN 588 the entire time. I never observed the inside of Alpha 5, and only saw ISN 693, as he was being taken out on the backboard. I helped carry ISN 588 out on the backboard to Alpha Block Sally. I then stayed behind on the tier to help as needed while (b)(3) (b)(6) (b)(7)(C) R, (b)(3) (b)(6) (b)(7)(C) and possibly others carried ISN 588 out of the block. I observed that the detainees were being unusually quiet throughout the entire series of events. (b)(3) (b)(6)

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(b)(3)
(b)(6)

I continued to walk the block instructing detainees to take things off their walls and to wake up. At some point during the series of events detailed above, SOG (b)(3) (b)(6) (b)(7)(C) had ordered guards to wake detainees and have them take everything off their cell walls. I observed detainees complying with this, and taking down various linens (shirts, towels, blankets, sheets, prayer rugs). I do not specifically recall which detainees I observed during this process. I observed that the detainees were being unusually quiet throughout the entire series of events.. I was on block for about five minutes or so, and then I was told to go back to E (b)(3) (b)(6) (b)(7)(C) The entire event, from the time I left (b)(2) Block to the time the main body was removed, could not have been any more than five minutes (b)(3) (b)(6)

(b)(3) (b)(6) (b)(7)(C) I went back to my block and continued normal block operations. Upon arriving back at (b)(2) block, NCO (b)(3) (b)(6) (b)(7)(C) was walking the tier and told me that everything in (b)(2) was all right. (b)(3) (b)(6)

This statement, consisting of this page and two other pages was typed for me by SA (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is true to the best of my knowledge and belief. (b)(3) (b)(6) (b)(7)(C)

Signature: _____

Sworn to and subscribed before me this 14th day of June in the year 2006, at IS 40.

(b)(7)(C)

Witnessed _____

Representative Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) and 5 U.S.C. 303

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1040

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: V/AL ZAHRANI, YASSER TALAL/CIV
CCN: 10. [REDACTED] GT-0031-7HNA

INVESTIGATION: INTERVIEW OF (b)(3):10 USC
§130b (b)(6) (b)(7)(C)

On 10Jun05, 0039 hours, three detainees being held at Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO) were found by Joint Detention Group (JDG) personnel hanging by their necks. Their lifeless bodies were discovered within Camp Delta, Camp One, Cell Block Alpha, Cell Five, Eight, and Twelve. Reporting Agent (RA) interviewed (b)(3):10 USC §130b (b)(6) (b)(7)(C) to ascertain his actions prior to and during the time the detainees were found hanging.

(b)(3):10 USC §130b (b)(6) (b)(7)(C) stated on 10Jun06 between 0030-0045 hours, he was walking through the block when he heard someone state a detainee was hanging. (b)(3):10 USC stated he went to the A Block area to assist and saw an unknown detainee (possibly A12) hanging. (b)(3):10 USC stated he went into the detainees cell with another Master at Arms (MA) and cut the detainee down. (b)(3):10 USC stated they placed shackles on the detainee while the other MA checked the subjects pulse. (b)(3) (b)(6) related the other MA informed him the detainee had no pulse. (b)(3):10 USC stated the detainee was placed on a backboard and transported away to medical. §130b (b)(6) (b)(7)(C)

RA asked (b)(3):10 USC §130b (b)(6) (b)(7)(C) how often does someone walk down the cellblocks. (b)(3) (b)(6) stated someone should be walking through every 2-3 minutes. (b)(3) (b)(6) related (b)(3):10 USC were assigned to A Block. (b)(3):10 USC related there are other people assigned to the block but he could not think of their names at the moment. RA asked (b)(3):10 USC did he have anything further to add regarding the incident. (b)(3):10 USC related he believed someone assisted the detainee tie the ligature. §130b (b)(6) (b)(7)(C)

Reported By: (b)(7)(C)
Office: NCISRU GUANTANAMO BAY, CUBA

EXHIBIT (43)

WARNING

PAGE 1 OF XX

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NCIS

1041

STATEMENT

Place : Guantanamo Bay, Cuba

Date : June 15, 2006

(b)(3):10 USC §130b, (b)(7)(C) 1, USN, make the following free and voluntary statement to Special Agent (b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the three detainee deaths which occurred between 09Jun06-10Jun06 (b)(3)

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

NCIS b2
(b)(3) (b)(6) On 09Jun06, I came on duty at 1800. It was a normal night walking the block, watching the detainees, and serving meals. It stayed normal until I came back from midrat (midnight rations) at 0030 on 10Jun06. I saw guards on Alpha Block, (b)(3):10 USC §130b, (b)(6), (b)(7)(C) and (b)(3):10 USC §130b, (b)(6), (b)(7)(C) running around. I asked in general what was going on. (b)(3):10 USC §130b, (b)(6), (b)(7)(C) told the above group not to talk about it until we get everything straightened out. I respected his wishes and went to Alpha Block to get more information about what was going on. When I got near the cell, I heard, (b)(2) Alpha 12". I went to Alpha 12 and saw a group of people ready to go inside the cell. When I got to Alpha 12, I saw a blanket hanging up near the sink area. The group made entry into the cell and pulled the blanket down. I then saw the detainee hanging by his neck. The detainee's eyes were open, he had some sort of white cloth around his mouth, feet off the ground, and no shoes. I do not remember the positioning of his hands. The detainee was cut down and secured by shackles and handcuffs by the group. I then heard, (b)(2) Alpha 5". I responded to Alpha 5 and another group NCIS b2 had already made entry into the cell. The detainee was in relatively the same position as the detainee in Alpha 12. There was a harness around his neck, his hands were tied, eyes were closed, and he was not wearing shoes. The detainee was cut down and others brought him down to the floor. Shackles and handcuffs were brought into the cell. I took the shackles and secured the detainee's feet. I then went back to Alpha 12 to assist. (b)(2) brought the backboard to Alpha 12. The group inside brought the detainee out and I assisted in securing the subject to the backboard. We then picked the detainee up and carried him to the detainee clinic. As I left the detainee clinic, I saw the group bring in the detainee from Alpha 5. They were not far behind us bring their detainee into to the clinic (b)(3) (b)(6)

(b)(3)
(b)(6) I then went back to Camp 1 and went to (b)(2) Block and told the guards to check all detainees' welfare out. I also instructed them to take all blankets in all the cells down so we would be able to clearly look in. I then went back out to the causeway assisting in matters that came up. It consisted mostly of coordinating with the PL in communicating with other blocks making sure others are walking the blocks. I did leave the camp at approximately 0130 in a van to bring guards into the fence because recall was ordered. When I came back, I stayed in the camp until I was told to go be interviewed by investigators. (b)(3)

(b)(3)
(b)(6) When I first got here in October 2005, It was standard operating procedure to allow detainees to hang blankets, sheet, shirts, prayer mats, towels, or anything else that needed to be dried. It was permitted for the drying items to be hung on the door as long as we were able to look inside. I am not sure of an exact time but policy changed where no items were allowed to be hung on doors. Items could still be hung up in the cell just as long as it was not near the door. (b)(3)

(b)(3)
(b)(6) This statement, consisting of this page and 1 page(s) was typed for me by (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief. (b)(3)
(b)(6)

(b)(3) (b)(6) (b)(7)(C)
Signature

Sworn and subscribed before me this 15 day of JUNE in the year at 06

Witnessed

(b)(7)(C)

Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

STATEMENT

PLACE: NCISRA Guantanamo Bay, Cuba

DATE: 19JUN06

(b)(3)
(b)(6) I, (b)(3) (b)(6) (b)(7)(C) make this free and voluntary statement to (b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the deaths of three detainees found hanged on 10JUN06 inside Alpha Block, Camp 1 aboard the Joint Task Force Guantanamo Bay, Cuba. (b)(3)

(b)(3)
(b)(6) for identification purposes (b)(3) (b)(6) (b)(7)(C)
(b)(3) (b)(6) (b)(7)(C)

(b)(3) I am currently serving as a detainee escort at the Guantanamo Bay Joint Task Force Detainee facility, aboard Guantanamo Bay, Cuba (GTMO). I have served at this position since November 2005. On 10JUN06, at approximately 0015, I was located in the escort lounge on standby when we received a (b)(2) call. For informational purposes, (b)(2) indicates a medical emergency regarding the detainee population. Initially, my team, (b)(2) did not respond to the first (b)(2). Another escort team responded to the call. We then received a second and separate (b)(2) to which another team responded to the code. Shortly after receiving the second (b)(2) (b)(2) a guard from Camp One (1) ran into the escort area where my team and I were located and requested all personnel present to accompany him to Alpha Block. When we arrived, we stopped at the ISN-693's cell. ISN-693 had already been placed and strapped on a medical backboard. I noticed ISN-693's face was blue. I observed one of ISN-693's arms had fallen off the backboard. I returned his arm onto the backboard and noticed his arm was stiff. (b)(3) (b)(6) (b)(7)(C)

(b)(3) and I lifted the backboard and transported ISN-693 to the Detainee Clinic. When we arrived at the Detainee Clinic, the medical staff directed us to take ISN-693 to the last room on the left. We placed his body on the bed and shackled one arm the backboard per standard procedures. One of the people who helped transport ISN-693 informed the medical staff that no pulse could be detected. (b)(2) on duty initiated CPR. (b)(3) (b)(6) was providing artificial respiration. A medical corpsman on duty began performing chest compressions. They continued providing CPR to ISN-693 for approximately 45 minutes. A medical doctor on staff, wearing civilian clothes, entered the room and began to attempt to intubate ISN-693. The doctor, however, could not open ISN-693's mouth with his hands. The doctor was able to open ISN-693's mouth slightly by prying the jaws apart with a specialized tool. It was at this point the doctor stated ISN-693 had something stuck in the back of his mouth. (b)(2)

(b)(2) a. The

Continuation of Voluntary Sworn Statement of

(b)(3) (b)(6) (b)(7)(C)

On 19JUN06

doctor then intubated ISN-693. (b)(3) (b)(6) (b)(7)(C) and another medical corpsman resumed providing CPR for approximately 20 minutes. During this time, more officers and medical staff arrived at the Detainee Clinic. A navy lieutenant entered and inspected ISN-693 for vital signs. The lieutenant could detect no signs of life and called the time of death. One of the medical doctors instructed (b)(3) (b)(6) (b)(7)(C) and me to place both bodies in one (1) room and (b)(3) (b)(6) (b)(7)(C) instructed us to stand guard over them. The medical staff requested we lift ISN-693 and ISN-588 so they could place medical cloth beneath them in to capture any fluid that might escape their bodies. They then placed sheets over the bodies of ISN-693 and ISN-588. We then secured the room. (b)(3) (b)(6) (b)(7)(C) arrived and assumed responsibility of maintaining control of ISN-693 and ISN-588. (b)(7)(C) arrived at the Detainee Clinic to process the scene. (b)(7)(C) requested us to remove the restraints from ISN-693 and ISN-588. When (b)(7)(C) finished processing the bodies, the medical staff began prepping them to transport to the morgue. While prepping the bodies for transport, one of the medical personnel discovered what was established later to be a suicide note in a shirt pocket of one of the bodies. We recalled (b)(7)(C) to retrieve the note. After we placed ISN-693 and ISN-588 in the ambulance to transport to the morgue, (b)(3) (b)(6) (b)(7)(C) relieved us. (b)(3) (b)(6) (b)(7)(C) departed with the bodies reroute to the morgue. (b)(3)

(b)(3) (b)(6) This statement, consisting of this page and one other, were typed for me by (b)(7)(C) (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief. (b)(3)

(b)(3) (b)(6) (b)(7)(C)

Signature: _____

Sworn to and subscribed before me this 19 day of JUN in the year 2006
at NCIS RA Guantanamo Bay (b)(7)(C)

Witnessed _____

Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

1045

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: V/AL ZAHRANI, YASSER TALAL/CIV
CCN: 10JUN06-MPGT-0031-7HNA

INVESTIGATIVE ACTION: RESULTS OF INTERVIEW - (b)(3):10 USC §130b (b)(6) (b)(7)(C)

1. On 16JUN06, reporting agent interviewed Ahmad (b)(3):10 USC an employee of Torres Advanced Enterprise Solutions, Arlington VA (b)(3):10 works as a counselor to detainees at Camp Delta, Guantanamo Bay, Cuba. (b)(3):10 has worked at Camp Delta since SEP05. He talks with, and counsels, detainees from all sections of the camp. (b)(3):10 provided information regarding the events at the camp following an incident in which three detainees, Internment Serial Numbers (ISN) 93, 588, and 693, were reported to have committed suicide by hanging in their respective cells in the early morning hours of 10JUN06.
2. (b)(3):10 said he was called at 0200, and arrived at the camp at about 0230. He went to the Detention Hospital at camp, and then was directed to go to the Detention Clinic. He went inside the clinic, and saw the bodies of 588 and 693. When he arrived at the clinic, ISN 588 and ISN 693 had already been pronounced dead. He saw an ambulance leaving Camp Delta, and later learned that this ambulance was transporting ISN 93, who was pronounced dead after he arrived at the Naval Hospital, Naval Station, Guantanamo Bay.
3. (b)(3):10 checked on the bodies and made sure they were wrapped in sheets. He monitored the transportation of the deceased detainees to ensure they were handled in accordance with custom. ISN 93 and 588 were Saudis; ISN 693 was Yemeni.
4. (b)(3):10 went to Detainee Operations Center (DOC), and translated one suicide note for ISN 093, to assist NCIS. When he discovered the other two detainees had hung themselves, he also translated their notes for NCIS.
5. (b)(3):10 walked into the A Block at Camp 1, shortly after the hangings took place. As he entered the cell block, the detainees were quiet, much more so than usual. The first detainee on the left didn't say anything. He was (b)(2). His neighbor, another detainee, asked (b)(3):10 if he was an interpreter. (b)(2) heard him asking this, and said "You know who he is" or words to that effect. (b)(3):10 walked down the cell block, and all the detainees were quiet. (b)(3):10 impression was that the detainees were pretending not to know what happened. Normally they would call out to (b)(3):10, and would talk to him. USC
6. Later on that day, 10JUN06, about half the A (Alpha) block detainees were transferred to (b)(2) block. (b) block is in (b)(2). To gauge the detainee's demeanor, (b)(3):10 visited (b) block. (b)(3):10 again wanted to see their reaction. (b)(3):10 gave (b)(2) an eye contact. (b)(2) got up and pretended to be concerned. (b)(2) asked, "Why don't I have my slippers? Why don't I have my other things? They are in the computer and I am allowed to have them. Shouldn't they be issued to me? Why are we here?" (b)(3):10 replied, "You are here because one of you tried to commit suicide by hanging himself." By this time (b)(3):10 actually knew that there were three completed hangings. He said that there was one suicide attempt instead, in order to see (b)(2)'s reaction. There was no reaction from (b)(3):10 USC impression was that ISN 149 already knew that three completed hangings had taken place.
7. (b)(3):10 continued walking down (b) block. The detainee in the last cell on the right g (b)(3):10's attention and asked, "How long are we going to be quiet?" (b)(3):10 replied, "Just follow USC rules and stay out of trouble." (b)(3):10 impression was that this detainee, too, knew all along what was happening.
8. (b)(3):10 overall impression was that the vast majority of the detainees in the A block of Camp 1 knew all along what was happening. (b)(3):5 M indicated that these three hangings were a planned

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NCIS

EXHIBIT 1046

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

event. (b)(3):10 USC commented that the detainees all acted like students in a classroom after someone had cheated and they were all involved in helping him, and were staying quiet.

9. (b)(3):10 USC provided the following information regarding his employer, Torres Advance Enterprise Solutions: The company is headquartered at 4301 N. Fairfax Drive, Suite 205, Arlington, VA. Their phone number is (703) 655-9039. His supervisor is (b)(7)(C) Her phone number is (703) 527-8088.

10. (b)(3):10 USC advised that he would like to cooperate fully with this investigation. (b)(3):10 USC is available to answer additional questions upon request.

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)



Reported By:
Office:

(b)(7)(C)

Special Agent
NCISFO Washington, DC

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

17JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

REVIEW OF DETAINEE MEAL PLANS

1. On 17Jun06, Reporting Agent reviewed the detainee meal plans and meal tracking sheet for Delta Camp, Camp 1, A-Block to determine what food was served for dinner to V/AL ZAHRANI, V/AL TABI and V/AHMED on 09Jun06.
2. According to the meal tracking sheet, V/AL ZAHRANI (ISN 93) and V/AHMED (ISN 693) selected the Regular meal plan (selection 1), and V/AL TABI (ISN 588) selected the Vegetarian diet (selection 3), Enclosure (A) pertains.
3. According to JTF staff, 09Jun06 corresponded to the 13th day on the meal plan rotation. Review of the Regular meal plan, Enclosure (B), revealed the following menu for day 13:

Fish baked in sesame sauce
Brown rice
Roasted mixed vegetables
Apple
Wheat bread
Margarine
2% milk
Drink ade

Review of the Special Vegetarian meal plan, Enclosure (C), revealed the following menu for day 13:

Chick peas
Brown rice
Roasted mixed vegetables
Apple
Wheat bread
Margarine
2% milk
Drink ade

ENCLOSURES

- (A) Copy of A-Block Meal Tracking Sheet/27May06
- (B) Copy of Detainee Regular Meal Plan
- (C) Copy of Detainee Special Vegetarian Meal Plan

REPORTED BY: (b)(7)(C) Special Agent
OFFICE: NCISFO Washington, DC

EXHIBIT (47)

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Page 1 LAST MJL V2 LNY

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1048

DELETED PAGE INFORMATION SHEET

SECRET

STATEMENT

Place: Building 760, NCISRU Guantanamo Bay, Cuba

Date: 17JUN06

(b)(3) (b)(6) (b)(7)(C)

(b)(7)(C) R, make the following free and voluntary statement to Special whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the three detainee deaths which occurred in the Alpha Block of Camp 1 at Camp Delta, Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO), during the early morning hours of 10JUN06. (b)(3)

(b)(3)

(b)(6)

I am the Commander of the Joint Detention Group (JDG) and I am responsible for a guard force of over 1000 individuals whose mission is to provide safe care and custody to all detainees at Guantanamo Bay, Cuba (GTMO). I arrived at GTMO on Saturday, 16APR05, and took Command of JDG on 22APR05. I replaced (b)(3):10 USC §1305 (b)(6) (b)(7)(C)

(b)(3):10 USC I was told by Major General HOOD who said he was relaying guidance given to him personally from the Secretary of Defense, that JTF-GTMO was to come in compliance with the Geneva Convention (particularly the 3rd Geneva Convention) to the greatest degree possible without compromising security. Within the past year there have been numerous changes made at Camp Delta, including many small changes, in order to bring us into greater compliance with the Geneva Convention. Many of the changes came at the urging of the International Commission of the Red Cross (ICRC). I was responsible for carrying out the guidance from MG HOOD. As I made the changes, I looked at the security aspect of the changes more from the point of view of guard safety, rather than protecting the detainees from themselves. Though there had been numerous suicide attempts, the real attempts had been made by those who were depressed or mentally disturbed and we had procedures in place to care for them in conjunction with the Behavioral Health Section who I work closely with. As I made each decision I primarily looked at two things. First, does what I am changing increase the possibility of detainee escape, and second, what is the possibility of a guard being harmed if this change is implemented. The guidance given was basically to improve the quality of life of the detainees. For everything I did to improve detainee quality of life there was some degree of resistance from the guard force, including the leadership immediately subordinate to me. If the guards do not like the changes, it affects how the changes will be implemented. If the changes are not made in the proper spirit then those changes could backfire on us. For example, if the new standard was 2 hours recreation, a guard who was disgruntled about the change could easily cause a block of detainees to be upset by not getting all detainees through the rotation. I think perhaps because so many changes have come at the guards so fast, that although they became willing to accept change, that in turn, we may have created confusion in their minds. Camp 1 guards were perhaps lulled into a belief that because we put so much emphasis on improving the quality of life for detainees that the threat level of the Camp was decreased. Guards were constantly taking care of prisoners and handling prisoner requests, which may have (b)(3) (b)(6)

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Page 1/11

(b)(3)
(b)(6)
(b)(7)(C)

EXHIBIT (48)

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(b)(3)
(b)(6)

caused an erosion of the duty of custody, and moved the focus more toward detainee care and comfort at the detriment of guard alertness to inappropriate behavior of detainees. (b)(3)
(b)(6)
(b)(7)(C)

Leadership made quite a distinction between detainee treatment in Camps 1 and (b)(2) (b)(2). The population of Camp 1 had gone down in the past month because of problems we had with detainees damaging their sinks in MAY/JUNE 06. Detainees in Camp 1 were taking the springs out of their sinks and using them to fabricate a tool, which we believed could be used to attack the guards. We put the detainees who were doing this into another camp because sinks in that camp had been modified and did not have the springs. Subsequent to 18MAY06, the population of Camp 1 dropped to slightly under 100 from over 200, and it seemed that the detainees left in Camp 1 were fairly compliant and had no immediate intentions of carrying acts of misconduct. (b)(3)
(b)(6)

(b)(2)

(b)(2) and Camp 1 is compliant. (b)(2)

(b)(2) Camp 1 used to be the primary focal point of the detention center because it was the most populated Camp and because I described it to my guard force as the real pivot point. Camp 1 contains compliant detainees and our goal always was to bring as many detainees as possible in to the compliant or highly compliant category. Our strategy was to make life the best we possibly could for the detainees, considering the facilities they were housed in, such as to encourage good behavior. Those that chose to violate the rules of the camp were sent to discipline or segregation blocks in (b)(2) where within standards of the GC and while being completely humane we made life less desirable on those blocks with stricter standards. Those that continued compliant behavior on a compliant block for an extended period of time would eventually be rewarded with highly compliant status and a subsequent move to (b)(2) where life is the best it possibly can be in the Camp Delta complex. Within Camp 1 at the time of the 10JUN06, incident there were (b)(2) and Alpha. (b)(2) held very compliant detainees, who were basically waiting for space to move to (b)(2). Every detainee on Alpha block is there for a particular reason.

(b)(1),(b)(2)

The Camp Delta Standard Operating Procedures (SOP) manual lays out the way the JDG is to be run. The latest full republishing of the SOP was in DEC05. We had basically been working on this since I arrived. Updating the SOP was primarily the responsibility of my S3 shop (operations) and S5 Shop (civil liaison and planning section). The changes were orchestrated by (b)(3) (b)(6) (b)(7)(C). The changes were basically made to incorporate all the Guard Mount messages since the last SOP, which was published DEC04. Guard mount messages are directions/orders to the guard force (b)(3)
(b)(6)
(b)(7)(C)

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(b)(3)
(b)(6)
(b)(7)(C)

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(b)(3)
(b)(6) disseminated via the Detainee Information Management System (DIMS). A guard mount message often fills a void we have discovered in the SOP or in some instances modifies an existing practice due to changing circumstances. (b)(3)
(b)(6)

(b)(3)
(b)(6) obtain information and gauge what is going on in the camps based on a variety of sources and inputs. I have used this information to assist me in modifying procedures and in developing new procedures to meet the ever changing challenges and situations in the Camp Delta complex of camps. I am the approving official for SOP changes. (b)(3)
(b)(6)

(b)(3)
(b)(6) every morning at 0900 with the exception of Sunday, I meet with all Camp Commanders, so that they can brief me on previous days events. The meetings include, everyone who is in charge of each camp, both of my battalion commanders, mental health representatives, the senior medical officer from the Joint Medical Group, the cultural advisor from the JTF, Interrogation Control Element Operations and pretty much a representative of all groups that work here. I also routinely check DIMS system during the day as it provides information on activity in the blocks and I walk through the camps at various times of the day. (b)(1)

(b)(1)

(b)(3)
(b)(6) Guards are briefed on new guard mount messages during guard mounts held in each camp by their camp leadership prior to each shift. New guard mount messages are also put into DIMS. Camp 1 in particular is a dynamic Camp and changes are made on a regular basis. I brief significant changes in practices up to the Commander Joint Task Force (CJTF) Guantanamo (Presently RDML HARRIS and previously MG HOOD). For example, the lighting levels on the cells at night were briefed up, and comfort items allowed to detainees were briefed up. Minor changes, however, are not briefed up. I remained and do continue to remain in continuous contact with the CJTF. This contact includes standing meetings throughout the week and phone calls throughout the day to review and significant events in the camps and changes necessary to standing orders. (b)(3)
(b)(6)

(b)(3)
(b)(6) Relevant passages from the DEC05 SOP, and additional guard messages with potential relevance to the incidents of 10JUN06, are addressed below. (b)(3)
(b)(6)

(b)(3)
(b)(6) The SOP related to lighting in cells (para 8-29, page 37) during darkness in Camp 1 is to turn off half the lights on the tier. Cells in Camp 1 do not have lights inside the cell. The lights are on the ceiling of the tier and shine into the cells. So one side of the tier is lit and the other is not. This makes it more difficult to see into the cells on the side that are not lit. To the best of my recollection, the lights on the South side of Alpha 1, the side on which the suicides occurred were the lights that were turned off on the night of 09JUN06. The issue of lighting during sleep hours was a significant issue to the ICRC when I first arrived in O5. (b)(3)
(b)(6)

(b)(3)
(b)(6) The SOP states (para 8-5d., page 28) that there must always be at least one guard on the tier at all times. Basically there is to be no less than one guard walking the tier, but randomly two guards are to walk the block. It may be noted, however, that as detainees (b)(3)
(b)(6)

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(b)(3)
(b)(6)

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(b)(3)
(b)(6)
(b)(7)(C)

were granted more privileges guards had to supervise them more in their off tier activities, such as two hours of recreation a day allowed for each detainee, so one guard on tier became more the norm. (b)(2)

(b)(2), (b)(3): 10 USC §130c

(b)(3)
(b)(6)

The SOP states that no showers and recreation will take place during the hours of 2200-0600 (para 8-14a.(11), page 31). ICRC considered it very important for detainees to have uninterrupted sleep. This SOP also ceases the movement of detainees during these hours (para 8-13b. page 30). (b)(2)

(b)(2)
(b)(2)

(b)(2)

(b)(3)
(b)(6)

As background, ICRC comes into GTMO every two to four months and stays four to six weeks each time. The ICRC has unfettered access to each detainee and meets with generally with every detainee during their visit. They also meet with me once a week to discuss their findings. At the end of each visit they provide an out-brief to the CJTF. Finally, ICRC completes a report on what they have seen that is my understanding goes Deputy Assistant Secretary of Defense for Detainee Affairs. (b)(3)
(b)(6)

(b)(3)
(b)(6)

Appendix B, of the SOP sets out the guidelines for hanging material in cells. Appendix B lays out matters of discipline within the Camps. The Appendix contains of four pages relevant to the matters of 10 JUNE. These pages define offenses and level of punishment and also lists amount of punishment time that will be given for them. It also lists what items detainees are allowed to have with them. The fourth pertinent page (B-4) is entitled, Authorized/Unauthorized Activities sets forth how detainees may use certain items on each level. Appendix B, is updated and added to the SOP on a regular basis, and is used daily by Camp leadership. Guards have access to it the same as the Camp Platoon Leader (CPL), and changes are gone over in the guard mount prior to each shift. Page B-3 is a chart that shows the items allowed, with footnotes at the bottom indicating the manner in which they may be used. Page B-4 of the appendix SOP states that sheets or blankets may be used for privacy while detainees are using the toilet, however they may not be tied more than halfway up the cell height. In addition detainees may hang items to dry in the cell window, but the items must not block the entire window. B-4 also

(b)(3)
(b)(6)
(b)(7)(C)

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(b)(3)
(b)(6)

NCIS

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(b)(3):1
0 USC

states that nothing can be hung off the cell walls. Guard messages on 07DEC05, and 24MAY06, addressed the misuse of blankets, but the focus was primarily on not allowing detainees to cover their head and shoulders when using the toilet or sink to prevent detainees from surreptitiously partaking in hunger strikes by throwing up food or putting food down the drains, because guards check the amount of food eaten by detainees. (b)(3):10
USC

(b)(3):1
0 USC

At the time of the incident, detainees in Camp 1 were allowed to have the following items: 2 T-shirts, 2 pairs underwear, 2 detainee uniforms, 1 set of PT shorts, 2 pairs of socks, 2 blankets, a sheet, 2 towels, and a washcloth. In addition they also had a full roll of toilet paper and water bottle, shower shoes and deck shoes. Detainees also were allowed a Koran, prayer beads, prayer cap, and personal papers to be kept in their box outside their cell. Up to 20 pieces of personal mail are allowed in the cell. All these items are described at page B-3. Please note that a modification to B-3 was published in March 06. Detainees originally had only one set of clothes, but after exercise equipment was provided for detainee use in the recreational area, detainees requested more clothing items because they were sweating more. Also the Geneva Convention requires that detainees be allowed undergarments. All detainees are given a new, full water bottle with each meal (para 8-27a. page 36). Water bottles were one of the items granted to detainees by MG Hood as a means to end the first hunger strike. Apparently, they were used by at least one detainee to make "calves" for the "dummy" he placed in his bed during the incident. (b)(3):10
USC

(b)(3):
10
USC

The SOP states on Page 42, Paragraph 9-10 Confiscation of items. Any deliberate damage done to property by a detainee is cause for removal. Holes and tearing that occurs from everyday use does not count, damage must be deliberate. There is not a section of the SOP directly related to sheets, blankets or clothing. Detainees are informed of the rules with a copy given to each detainee. This particular rule can be found in the SOP on page viii, at rule number 5 and states "You may not damage, destroy or tamper with any object, property, or security device." (b)(3):10
USC

(b)(3):
10
USC

(b)(2)

(b)(2) There is a difference in how each camp is run in true practice. What is allowed and considered normal within each camp differs.

(b)(2) While MG HOOD was in command, any use of force by the guard force was strongly discouraged. (b)(2)

(b)(2) and force cell extractions were closely monitored by the CJTF. An atmosphere developed among camp leaders that it was sometimes easier to compromise with detainees than to strictly enforce a rule. (b)(2)

(b)(2) Under the watch of RDML HARRIS, all camps have been moving more to 100% compliance as he has stated that all detainees must comply with verbal orders. Camp 1 guards rely more on interpersonal skills to maintain compliant behavior and there was a more liberal interpretation of the SOP by the guards. Once a norm or procedure is established with detainees it is very difficult to change procedures without significant problems being created. The general concept was that the detainees in camp 1 were not causing problems, so guards and (their supervisors) were more prone to let small infractions slide by. It is a classic case of a (b)(3):10
USC
§130b.(

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(b)(3):10
USC
§130b.(b)(

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(b)(3)
(b)(6)
(b)(7)(C)

(b)(2)

[REDACTED]

(b)(3)
(b)(6)

(b)(3)
(b)(6)
(b)(7)(C)

(b)(2)
(b)(2)

[REDACTED]

(b)(3)
(b)(6)

(b)(3)
(b)(6)

On the night of 09JUN06, I was not in the Camp, I had spent the evening at Admiral HARRIS' house. It was probably 0048 or so that I was called by the detention operation center (DOC). Upon receiving the call I went straight to the DET Clinic. I fell in behind an ambulance as I was leaving my quarters in (b)(3) (b)(6) (b)(7)(C) and just followed it straight in to Camp 1. After being notified by the DOC and before I left my house, I called Admiral HARRIS and told him what I knew, which at that point was that there had been one suicide attempt. En route to the DET, I received another phone call from the DOC and was told two others detainees were being taken to the DET Clinic. I notified the DOC to inform Sally 1 that I would be coming in the front gate. Upon arrival at the DET clinic, I went straight to each one of the three detainees. I saw ISN 093 first, then ISN 693 and then ISN588. There was no doctor on scene at the time. The Senior Medical person was a Navy Lt. Nurse. Guards and medical personnel were around each detainee giving CPR and providing care (mostly chest compressions and bagged oxygen). Each detainee looked dead. They all had that blank look in their eyes. ISN 093 had an EKG hooked up but it was flat lining. I called the Admiral about a minute and a half after my arrival, and said to him that I think we have three dead. (b)(3) (b)(6)

(b)(3)
(b)(6)

The first orders I remember giving were upon my arrival at the DET clinic. The Field Grade in the Wire (FGIW) who is my personal representative when I am not in Camp,

(b)(3)
(b)(6)
(b)(7)(C)

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(b)(3)
(b)(6)
(b)(7)(C)

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(b)(3) (b)(6) (b)(7)(C)

came up to me and asked what he should do. I said (not verbatim) "I need a 100 percent recall. I need people in, and I want every detainee woken up and checked to make sure they are alive. Somebody get to Alpha block and secure it, and get any guards involved to the conference room as we are able to relieve them off the block with substitute guards." I also called to SOG for Camp 1 to try and find out where we stood status-wise. I wanted to know how much of Camp 1 had been checked and to understand the circumstances surrounding the discovery of the detainees. (b)(3) (b)(6)

(b)(3)

(b)(6)

(b)(7)

(C)

Shortly, after this call, as I continued to mentally make decisions regarding the situation, lawyers came in to the DET Clinic and I (b)(3):10 USC §130b asked if NCIS had been notified. I said not to my knowledge, and told DOC to notify NCIS. (b)(3)

At approximately 0110, 093 was taken out of the DET on a stretcher for hospital transport and (b)(3) (b)(6) showed up roughly about the same time. (b)(3)

(b)(3) (b)(6) started work on ISN 588 and ISN 693. I observed him trying to get into his mouth (b)(2) I also gave more instructions to (b)(3) (b)(6) (b)(7)(C)

(b)(3) who came up to me and asked what I needed. I said get to Alpha Block and make sure it was secure, because I was not sure who was in charge of the block at that time. It was now 0115, because (b)(3) (b)(6) (b)(7)(C) just pronounced the one detainee dead at 0115 and the next one he pronounced at 0116. I called the Joint Operations Center and told them to make notifications to the proper entities, specifying particulars. In the few minutes between 0100 and 0110 everything was chaotic with various people arriving, such as the (b)(3) (b)(6) (b)(7)(C) my Deputy Commander and various guards who had been called in to Camp. (b)(3) (b)(6)

(b)(3)

(b)(6)

At approximately 0117 I stepped outside so I could place the cell phone call to the JOC to make notifications of the deaths. (b)(3) (b)(6)

(b)(3)

(b)(6)

Admiral HARRIS had arrived when I came back inside the DET Clinic a couple of minutes later. About time Admiral HARRIS arrived my FGIW gave me updates on situation. The Admiral and I then went to the two deceased detainees still in the DET Clinic, and I briefed him on what I had done and the actions being taken (guard recall, detainee check). I also informed him of which detainees were involved, and where they came from. I was still not sure how it had happened. While I suspected that had all been found hanging, I told the Admiral was not sure if they had been found hanging, but I pointed out the ligature marks on each detainee, and the material that had (b)(2)

(b)(2) of ISN 588 (one in furthest room of the DET Clinic from the entrance, the most westernly room in the Det Clinic on the south side) and was lying on his chest. It had also been reported to me that ISN 093 (b)(2). Each detainee had a thin, quarter inch line around his neck, which consisted of a dark discoloration that appeared brownish red at that point. Face coloration appeared normal. I observed a towel or something around waist of one detainee, and pieces of cloth lying around their bodies. I did not touch any of the bodies. (b)(3) (b)(6)

(b)(3)

Subsequently, the Admiral gave a pep talk to medical staff as they all appeared very despondent. I walked over to a Navy E-6, and told him to find somebody to stay with (b)(3) (b)(6)

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(b)(3)

(b)(6)

(b)(7)(C)

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(b)(3)
(b)(6) each one of the bodies until NCIS arrived. At about 0125-0130, I went to the DOC which is located in my headquarters (BLDG 1) and by the time I arrived I was told the rest of Camp 1, (b)(2) had all completed checking each detainee and they were all alright, but (b)(2) had not reported being finished with a head count (b)(3)
(b)(6)

(b)(3)
(b)(6)
(b)(7)(C) At roughly 0110 when (b)(3) (b)(6) (b)(7)(C) (my deputy commander) arrived at the DET Clinic, and I had sent her to the DOC and told her to start organizing guards coming in so that we would have three people walking every tier. At the DOC, I tried to get the people directly involved with the incident together in conference room. I told them to sit and not to talk to each other. I pulled three or four guards from Alpha block into my office to find out what had happened and put together the series of events. I had each of them speak to me for approximately 4 to 5 minutes in my office. I know what the guards I spoke with look like, but I do not know their names. The one female present, I think was named (b)(3) (b)(6)
(b)(7)(C)

(b)(3)
(b)(6)
(b)(7)(C) Included in the first set of people I talked to were the SOG and the sailor who found ISN 093 in the cell. What I was told was that the guard that found ISN 093 had just come on to the tier. The guard walked the tier from east to west, and on his pass back to the west, he looked into Alpha 8, and said the bed didn't look right to him. It did not look human. He called the block NCO to come look, and they both yelled at ISN 093, but did not get a response. One of them went to the cell next to Alpha 8 and peered in from the side, at which point he saw ISN 093 hanging. (b)(3)
(b)(6)

(b)(3)
(b)(6) (b)(2)
(b)(2)

On the night of 09JUN06, Alpha Block had five people on duty. According to what I have been told, the NCO and (b)(3) (b)(6) were in the guard shack when the first detainee was discovered. Two other guards were passing each other in the Sally with one coming back and one going to chow, which started at 2300. This left the one guard who discovered the detainee on the tier. (b)(3)
(b)(6)

(b)(3)
(b)(6) Nobody could tell me at that time who walked the tier prior to finding first detainee. At approximately 0200 (b)(7)(C) showed up and I left the guards to sit in the conference room and went with (b)(7)(C) to my office and briefed him on my knowledge of events that point. Then (b)(3) (b)(6) (b)(7)(C) from CITF showed up and (b)(7)(C) from FBI also arrived. I briefed them on what I knew so far. I then went to conference room and told everyone present to talk to NCIS. I received a call to go see Admiral at 0300. (b)(7)(C) needed every detainee off block so NCIS could move in. The moves started at approximately 0200, and were finished at approximately 0500. At 0500 (b)(7)(C) and I believe (b)(7)(C) and I, walked down and looked at the cells. The cells were already sealed and guards were stationed at the entrance to the block. In two cells I saw the blankets still hanging in corners. In the far cell, A12 the blanket was torn down. I also noticed the different preparation of dummies in each cell. ISN 093s cell had the most extensive preparations of the three detainees, and had created the most realistic "dummy". ISN 093 had multiple detainee-allowed items on his bed (b)(3)
(b)(6)
(b)(7)(C)

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(b)(3)
(b)(6)
(b)(7)(C)

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(b)(3)
(b)(6)
(b)(7)
(C) to make the dummy body. The dummy consisted of a toilet paper roll for the head, water bottles (possibly for shins) and shower shoes as feet. The thorax region of the dummy was a conglomeration of clothes. Cell A-12, in which ISN 588 was held, seemed to be the least prepared to me. There was not that much lying in ISN 588's cell. Cell A-5, in which ISN 693 was held, was somewhere in between the amount of preparation used in the other two. I did not touch anything. We did not enter or touch the cells. (b)(3)
(b)(6)

The guard that discovered ISN 093 stated that 093 had a rather elaborate mask over his face, that was secured to him with multiple straps wrapping around his head and the whole apparatus was connected, bound together. Later during the afternoon hours of the 10th, guards found four long strips of cloth made from a towel that were similar to what the 093 detainee had used to fabricate a complex noose in (b)(2) cell. A small bag made of soft cloth approximately the size of my fist was also found. (b)(2) was on Alpha block. (b)(1),(b)(6) and it seemed very odd to me that he would be fabricating such a device as the detainees who committed suicide were Arabs. (b)(2),(b)(6)

(b)(6) I believe. (b)(3)
(b)(6)

All camps are very quiet when we were visiting the cells. It was sort of odd because when there is unusual activity in the Camps the detainees are louder, and in this case they were not. (b)(3)

(b)(2)

(b)(3)
(b)(6)

As I look back on the events leading up to 10 JUNE there were several events that took place that I now feel should have triggered me to think something was going on, on Alpha block. First, 693 had gone off hunger strike just a week or two prior. 693 had been a long and dedicated hunger striker, perhaps being tubed feed longer than any other detainee in the camp. Secondly, 588 had given up his Koran on 18 May. In the whirlwind of events that occurred on 18 May, it never came clear to me that he had in fact turned in his Koran until after the events of 10 June. Turning in of a Koran by a detainee is significant as it demonstrates normally one of two things: Detainee is protesting some activity of the JDG or that he is about to do something that would disgrace his religion, more specifically commit suicide. I have always used that as an indicator for self-harm. (b)(3)
(b)(6)

(b)(2)

(b)(2)

(b)(1),(b)(6)

(b)(2)

(b)(2)

I just moved him out of Alpha block on (b)(3)
(b)(6)

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(b)(3)
(b)(6)
(b)(7)(C)

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(b)(3)
(b)(2) Wednesday evening, 07JUN06, at his request. The Admiral told me to go talk to ISN (b)(2) which I did in (b)(2) with (b)(3) the JTF Cultural Advisor, who joined me about 10 minutes after I had begun what turned out to be an hour or so meeting. (b)(2),(b)(3)

(b)(2)

(b)(3)
(b)(6)
(b)(7) There were various signs that something was going on with the detainees that I misread, this included the sudden large numbers of detainees dropping out of the hunger strike around Memorial Day weekend. This hunger strike started after 18MAY06 and lasted about two weeks. The number of hunger strikers dropped from having a high of approximately 84 down to 7 or 9 detainees. (b)(2)

(b)(2)

(b)(2) If detainees are not doing something, like beating on their cells for two hours, refusing to showers/recreation, or verbally taunting guards they are planning the next event. I was interviewed for the TV show O'Reilly factor on the day of 09JUN06, and I said the detainees were planning something more violent. Because of our concerns about next act being more violent we had sent out guard messages on 28MAY06 and 30MAY06 regarding High Vigilance During (b)(2) and the requirement to (b)(2). We had taken several steps warning the guards to be more cautious particularly in (b)(2) (b)(2)

(b)(2)

(b)(2)

See Guard messages on 28MAY06 and 30MAY06 regarding High Vigilance During (b)(2)

(b)(2)

Because suicide is against the detainee's religion, and detainees often talk about how Muslims are not supposed to commit suicide, the possibility of multiple detainee suicides on a block was viewed more as a ruse to put guards in a vulnerable situation. In past suicide attempts, other detainees make it urgently and loudly known that a detainee was carrying out some type of self-harm. Also, in the Western Judeo-Christian culture, we view those that would commit suicide as those who are depressed or who have some type of mental problem. Detainees with these symptoms are closely monitored and provided with psychological help/evaluations. The detainees who committed suicide did not exhibit these symptoms. Two of the three had been cleared by Behavioral Health Services just the week prior and were noted to be in good spirits. 093 refused to be seen by BHS which was consistent with past behavior. (b)(3)
(b)(6)

(b)(3)

In regard to what normal events and actions should be like on a block at roughly the same time of the day I offer the following. If you combine the various pieces of guidance contained within the SOP and within guardmount messages, here is what I would have expected to see on the block that night and is what routinely occurs on other blocks (b)(3)
(b)(6)
(b)(7)(C)

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(b)(3)
(b)(6)
(b)(7)(C)

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(b)(3)
(b)(6)
(b)(7)(C) nightly. (b)(2) [redacted] inclusive of the
(b)(3) block NCO. (b)(2) [redacted] there would have been a headcount
(b)(6) conducted and the results reported to the DOC. Evening chow would have been served
(b)(7)(C) and early evening call to prayer would have been carried out by the detainees. At some
point prior to (b)(2) [redacted] nother headcount should have been carried out and done so at the
direction of the DOC. During headcount, all detainee movement on that block stops and
every detainee is accounted for using the standard of seeing skin or movement. That
night I discovered unusual activity had occurred at approximately 2030 when the entirety
of Alpha Block joined together in song for approximately 20 to 30 minutes. My
expectation would have been that an interpreter would have been called to the block to
determine what was being said and that a DIMS entry would have been made noting such
abnormal activity. I am informed in the aftermath of the events that numerous detainees
washed their blankets that day and hung them in their cells to dry. While that practice is
allowed, the proper procedure would have been for the guards to allow the blankets to be
hung only from the rear cell window and then to not cover the entire window. I am also
informed that the detainees went to be early that evening, around 2130. That too should
have been annotated in DIMS as unusual activity. (b)(2)

(b)(2)

ten minutes to see either skin or movement. Based on the last headcount, another
headcount should have occurred but no later than midnight should a third headcount been
carried out. In that instance, the standard would again be to see skin or movement. If the
guard could not see either, he should wake the detainee to ensure the detainee is present.

(b)(2)

tier, showers, searching of the rec yards, updating DIMS entries, restocking supplies, etc.

(b)(2)

The times that the SOG and PL walked the tier should have been recorded in DIMS. (b)(3)
(b)(6)

(b)(3)
(b)(6)
(b)(7)(C) This statement, consisting of this page and two other pages was partially typed for me by
(b)(7)(C) [redacted] as we discussed its contents. In addition, I typed parts of the statement
myself. I have read and understand the above statement. I have been given the
opportunity to make any changes or corrections I desire to make and have placed my
initials over the changes and corrections. This statement is true to the best of my
knowledge and belief. (b)(3) (b)(6) (b)(7)(C)

(b)(6) Signature [redacted]

Sworn to and subscribed before me on this 17th day of JUNE in the year 2006, at 1750.
(b)(7)(C) [redacted]

Witnessed by Representative Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936 and 5 U.S.C. 303)

SECRET

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(b)(3)
(b)(6)
(b)(7)(C)

NCIS

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NAVAL CRIMINAL INVESTIGATIVE SERVICE

DELETED PAGE INFORMATION SHEET

Page(s) 1065-1067 Exhibit (49)

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Referred for review and direct response to you.

☐ Pages contain information furnished by other government agency(ies). We will advise you of releasability of information following consultation with agency(ies).

Comments: Referred to the
Criminal Investigation
Task Force

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STATEMENT

Place : Guantanamo Bay, Cuba

Date : June 16, 2006

(b)(3)
(b)(6)
(b)(7)(C) I, (b)(3) (b)(6) (b)(7)(C) make the following free and voluntary statement to Special
(b)(7)(C) whom I know to be a Representative of the United States Naval Criminal
Investigative Service. I make this statement of my own free will and without any threats made to me
or promises extended. I fully understand that this statement is given concerning my knowledge of the
death of the three detainees which occurred between 09Jun06 and 10Jun06. (b)(3)
(b)(3) (b)(6)
(b)(7)(C)

For information purposes (b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) (b)(7)(C) My current duties consist issuing medication and ensuring the well
health care of the detainees. (b)(3)

On 09June06, I reported for duty at 1920. It was a normal day of work until approximately 0040. At
this time a phone call came in to (b)(3). I am unsure of (b)(3)' real name. (b)(3) advised us that
guards would be bringing in a detainee who was unresponsive. Normal operating procedures state that
we respond to the cell for medical care, but since the guards said they were bringing to detainee to us,
we waited and prepared for their arrival. Approximately three to four after the initial phone call, the
guards arrived with the detainee. The guards brought the detainee into the treatment room and put him
on the bed. I do not recall the detainee's identification number. Initially, everyone helped on the first
detainee. (b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) (b)(7)(C) The detainee's eyes were open, cyanotic
lips, pale skin color, cold to the touch, and there was a white gag in his mouth. I then attempted to
retrieve vital signs. There was no response for blood pressure, not breathing, and no pulse. (b)(3)
was running back and forth getting the detainee's current condition and advising what needs to be
done. She was making calls to the hospital, the SMO (Senior Medical Officer), and (b)(3) (b)(6)
(b)(3) (b)(6) assisted with the phone calls. I believe (b)(3) (b)(6) began the IV. (b)(3) (b)(6) was
getting oxygen and removed the (b)(2) At that point, someone ripped the
detainee's shirt and began to hook up the EKG. I was preparing to help put the EKG on the detainee
when I overheard on the MA's walkie-talkies saying they were bringing in another detainee for
treatment. I estimate between the time I heard the detainee was coming in over the walkie-talkie and
the time the detainee arrived was approximately two minutes. (b)(3)
(b)(3)

Once the second detainee arrived, (b)(3) (b)(6) (b)(7)(C), and myself went
into Room 12, which is an observation room. They laid the detainee on the bed in the room and once
again I tried to retrieve vitals. While the vitals were trying to be retrieved, (b)(3) (b)(6) (b)(7)(C)
(b)(3) (b)(6) put oxygen on the detainee. (b)(3) (b)(6) stated an IV. Once the machine read there
were no vitals, (b)(3) (b)(6) tried to retrieve manual vitals. This consisted of checking the pulse on
the right wrist. (b)(3) (b)(6) said he felt a faint pulse. The pulse was not strong enough to support life
so (b)(3) (b)(6) began chest compressions as I was administering oxygen. (b)(3) (b)(6) got the IV
started lacted ringers ran a full bolus. This was done to replenish fluids and electrolytes into the body.
At this point, (b)(3) came in to get status of the detainee. She had us check to see if anything was
blocking his airway. We told her his mouth was locked shut. She came back with an instrument to

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help pry open the mouth and some atropine. Atropine is a medication used to help restart the heart and prevent any heart blocks. At this point, (b)(3) heard we had a third detainee on deck so she left the room to help. (b)(3) (b)(6) and myself switched positions and I began administering chest compression while he administered oxygen. Approximately three to four minutes later, (b)(3) (b)(3) (b)(6) and myself switched positions. (b)(3) (b)(6) entered the room with an AED machine. An AED machine is designed to find a shockable heart rate and if so, deliver the shock. The machine said, "No shockable rhythm." At that point, (b)(3) (b)(6) continued CPR. Approximately one minute later, we tried again with the AED. The AED again said, "No shockable rhythm." At this point, (b)(3) (b)(3) pushed the atropine via the IV. (b)(3) (b)(6) (b)(7)(C) came into the room and asked if anyone was evac qualified. (b)(3) (b)(6) said he was able to and took the first detainee to the ER room. (b)(3) (b)(3) and myself continued to try and get the second detainee's mouth open. At this time, the SMO came into the room asked on the status of the detainee. We told him it was an unresponsive detainee with no pulse, administering CPR and oxygen for the last ten to fifteen minutes, IV started and full latinirus bolus running, atropine running via IV, and mouth locked shut. The SMO left and approximately two to three minutes later, we got the detainee's mouth open. As we were cleaning his mouth out, I saw a dark blue, purplish ring around the neck. LT "G" looked at the ring and told SMO. As we continued to clean out the mouth with what appeared to be peanut butter and crackers. The SMO came back in at 0115 and asked how long we have been administering CPR. We told him for about a half hour. The SMO pronounced the detainee dead at that time. (b)(3) (b)(3)

(b)(3) (b)(6) (b)(7)(C) As we were leaving the room, the SMO was going into the third room and pronouncing the detainee dead. After that, we saw Rear Admiral HARRIS, who told us to, "Stand down, you did all that you could." At that point in time, I realized about the death of the three detainees and began preparing for possible others. (b)(3) (b)(3) (b)(6)

(b)(3) (b)(6) (b)(7)(C) This statement, consisting of this page and 1 page(s) was typed for me by (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief. (b)(3) (b)(3) (b)(6)

(b)(3) (b)(6) (b)(7)(C)

Signature:

(b)(3) (b)(6) (b)(7)(C)

Sworn and subscribed before me this 16 day of June in the year at 2006

Witnessed

(b)(7)(C)

Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

STATEMENT

(b)(3) PLACE: NCISRA Guantanamo Bay, Cuba

(b)(6) DATE: June 15 2006 (b)(3)

(b)(7)

(C)

I, (b)(3) (b)(6) (b)(7)(C) make this free and voluntary statement to Special Agent (b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the death of three detainees found hanged during the early morning hours of 10JUN06 inside Alpha Block, Camp 1 aboard the Joint Task Force Guantanamo Bay, Cuba. (b)(3)

For identification purposes (b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) (b)(7)(C)

assigned to JTF-GTMO since 15APR06, I expect to rotate on 09OCT06 (b)(3)

On 09JUN06, I reported to the Delta (DET) Clinic at (b)(2) to start a (b)(2) As the nurse at the DET clinic it is my responsibility to supervise and work with the corpsman in order to provide medical care and medication to detainees as needed. At approximately 0043, I received a call at the DET clinic advising that a detainee was down with no pulse and they were on the way in to the DET clinic. About a minute later, just after I had turned around and told the corpsmen to get ready, the detainee was brought into the clinic on a backboard. The guards set the detainee, ISN 093, on the bed in the open bay room and the corpsmen and I proceeded to check the air, breathing and circulation. I did a sternum rub to see if he was responsive. A corpsman put on blood pressure cuff and pulse oximetry to see if we could get vitals, which we could not. The detainee's pupils were fixed and dilated. He was cyanotic (blue). We put oxygen on him and a corpsman attempted to get an IV on him, but it was not working. I passed the diffibulator pads to (b)(3) (b)(6) (b)(7)(C) and he put them on the detainee and I hooked the pads up to the defibulator. But the line was flat, and we never got a rhythm. The corpsman trying to call the doctor on call could not find the number, so I stepped away from the detainee to call 911, while he was still trying to call the doctor. I later found from (b)(3) (b)(6) (b)(7)(C) that while I stepped away someone took something out of the (b)(2) At the same time I was calling 911, a corpsman called the nurse from the DET hospital to come down. When the nurse arrived a couple of minutes later we started CPR. She started doing the mask and the corpsman did the compressions. The other corpsman still could not get an IV in, so I helped with the IV. The detainee had (b)(2), (b)(7)(E) I asked the guard to remove them so I could insert the IV. It was then I noticed that ISN 093 had a piece of white cloth wrapped around his waist, but his hands were not bound. We did not move or touch the cloth. I also noticed at this time that ISN093 was cold and stiff because his arm and fingers were stiff. Through the IV I gave him atropine (he eventually got a total of 2 amps) At 1250 I gave the first amp, and (b)(3) (b)(6) (b)(7)(C)

(b)(3) ⁰⁸⁵⁵
 (b)(6) at 1255 I gave the second one. The ambulance arrived in between the doses of atropine. Atropine is medicine that is supposed to speed up the heart, and the nurse from the hospital, who has more critical care experience than I do, concurred with me that I should give it to the detainee. Once the EMTs arrived, they unhooked him from the difibulator and hooked him to their AED (a portable difibulator). The AED did not pick up a shockable rhythm, but CPR was continued during transport. While the AED was placed on I continued to try to pry his mouth open and clear the airway, but his mouth was clinched tight. Once the AED was on, the EMTs attempted to help me open the detainee's mouth. We opened it enough for a paramedic to get a tube in, but it wasn't in the right place so he pulled it back it out, and then left with the detainee. (b)(3)

(b)(3)
 (b)(3) As soon as the first detainee was about to leave, the second detainee was just being put on the bed in the first treatment room, I think it was number ten. The second detainee, ISN 588, arrived between 1250 and 1255. ISN 588 arrived with the same appearance as the first detainee. Both of the first detainees had indentations on their necks when they came in, as if something had been around their necks. The indentions were purple and bruised. As the guards stepped away, the corpsmen immediately started CPR and put an AED pad on the detainee, and I made sure they had it going and tried to pry his airway open, but couldn't get his mouth open because his jaw was clenched. Someone put his IV in, and I put 1 amp of atropine in the IV, and continued to work to get his mouth open. Since I did not put the IV in, I did not notice if his hands were clinched, but I know his arms were stiff. The third detainee had arrived by now, but the other nurse from the hospital took care of him and I did not see him until later when he was already pronounced dead and put in a body bag. (b)(3)
 (b)(6)

(b)(3) After the first detainee left several doctors arrived along with all the nurses and the corpsman. The doctors present were: the Officer in Charge (OIC), (b)(3) (b)(6) (b)(7)(C)
 (b)(3) (b)(6) (b)(7)(C)
 (b)(3) (b)(6) (b)(7)(C) who is a Physicians Assistant. (b)(3) (b)(6) (b)(7)(C) pronounced ISN 588 dead at about 0115, and (b)(3) pronounced ISN 693 dead at about 0116. The nurses from the hospital (assigned to JMG) told me that they completed the post mortem procedure of wrapping the two bodies, which means placing them in the body bag. (b)(3)

(b)(3)
 (b)(3) I also remember someone having a camera on a tripod in the DET, but did not see pictures taken. I was very focused on my work through the entire situation. (b)(3)

(b)(3)
 (b)(6) Continuation of Voluntary Sworn Statement of
 (b)(3) (b)(6) (b)(7)(C)

on 15JUN06 (b)(3)
 (b)(6)

SECRET/NOFORN

~~SECRET NOFORN~~

(b)(3) This statement, consisting of this page and 2 other page(s) were typed for me by Special (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief (b)(3) (b)(3) (b)(6) (b)(7)(C)

Signature

Sworn to and subscribed before me this 15 day of JUN in the year 2006
at 1640

Witnessed:

(b)(7)(C)

Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

~~SECRET NOFORN~~

SECRET/NOFORN

STATEMENT

Place : NCISRU GTMO

Date : June 15, 2006

(b)(3) I, (b)(3) (b)(6) (b)(7)(C) make the following free and voluntary statement to (b)(7)(C)
(b)(6) (b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative
(b)(7)(C) Service. I make this statement of my own free will and without any threats made to me or promises
extended. I fully understand that this statement is given concerning my knowledge of the emergency
treatment provided to the three detainees on 10Jun06

For identification purposes (b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) (b)(7)(C)

I was the nurse assigned to the Detention Hospital and did not have any detainees being treated during this shift. I received a call around 0030-0035 from a corpsman assigned to the Detention Clinic stating that there was a detainee that had just been brought into the clinic that did not have a pulse and was not breathing. I secured my workspace and immediately went to the clinic to assist the clinic nurse (b)(3) (b)(6) (b)(7)(C)

Upon arriving to the clinic the first detainee was in the treatment room on a backboard that was resting on a stretcher. I observed that the detainee was cyanotic and upon touching him found him to be cold. I observed that the detainee was attached to a monitor and that he did not have a heart rate. (b)(3) (b)(6) (b)(7)(C) was attempting to start an IV. I moved to the head of the bed and attempted to open the detainee's airway and observed that his neck and jaw were very stiff. After opening the airway to the best of my ability CPR was started. I did not observe his hands and feet bound upon the time of my arrival to the bedside.

At approximately 0045 the second Detainee was brought in and placed in the last treatment room on the left. He was cyanotic and a quick assessment yielded that he did not have a pulse and was not breathing. With an attempt to open the airway it was observed that his neck was stiff and skin was cool. I did not observe his hands and feet being bound upon the time of my arrival to the bedside.

During this time the third detainee was brought in and placed in the last available treatment room. I instructed the corpsman to begin CPR and I went to the bedside of the third detainee. The assessment of the third detainee yielded that he was cold and cyanotic without a pulse and was not breathing. With an attempt to open the airway of the third detainee it was observed that his jaw was clenched and that he had a white athletic sock in his mouth. After removing the sock I instructed the Corpsman to begin CPR. I did not observe his hands and feet bring bound upon the time of my arrival to the bedside.

I returned to the second detainee at about 0050 and started an IV and immediately treated him with one ampule of Atracurium per Advanced Cardiac Life Support (ACLS) protocol. It was during this time that the Senior Medical Officer arrived. Upon his assessment he attempted to intubate this detainee and found what appeared to be either gauze or white fabric lodged in the back of the detainees

1073

Continuation of voluntary sworn statement of

(b)(3) (b)(6) (b)(7)(C)

on June 15, 2006

throat, which he removed. It was also during this time the first detainee was removed by EMT and taken to the Naval Hospital.

Life saving measures continued until both detainees were pronounced dead by the Senior Medical Officer at about 0115-0120.

(b)(3)
(b)(6)
(b)(7)(C)
I immediately left the clinic and went to the Naval Hospital to assume care of the first detainee. Upon arriving, the emergency medical team was providing life saving measures without any response. The Emergency Room Doctor at from the Naval Medical Center pronounced detainee number one dead at about 0210.

This statement, consisting of this page and 1 other page(s) was typed for me by myself and (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief

(b)(3) (b)(6) (b)(7)(C)

Signature: _____

Sworn to and subscribed before me this 15th day of June in the year 2006 at

1545

(b)(7)(C)

Witnessed: _____

Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

1074

STATEMENT

Place : NCISRA GUANTANAMO BAY CUBA

Date : June 16, 2006

(b)(3) (b)(6) (b)(7)(C)

I (b)(7)(C) make the following free and voluntary statement to (b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the death of three detainees.

For information purposes, (b)(3) (b)(6) (b)(7)(C) Hospital Corpsman Third Class assigned to the JTF-GTMO Detainee Clinic. (b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) (b)(7)(C) I arrived at my present assignment April 15, 2006 and my rotation date is October 2006. (b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) (b)(7)(C)

I was assigned to work at the Detainee Hospital from (b)(2) 10JUN06. I am a general duty corpsman and my responsibility early in my shift was handing out medications to the detainees. Each corpsman has an assigned number inside the wire so we do not use our name. I am (b)(2) was on Alpha Block at approximately 2200, 9JUN06 assessing a detainee in cell (b)(2) Part of that assessment would have been obtaining his weight. I do not recall passing medications to anyone. If I did pass out medications, I would have logged that medication in the detainees Medical Assessment Record (MAR). At the direction of (b)(7)(C) I called and checked with the Detainee Clinic and the nurse could not find any additional MARs for 93, 588 or 693. I do not recall seeing anything unusual in regard to Cells A-5, A-8 or A-12 but I was not looking.

Nothing out of the ordinary happened before midnight. At approximately 0010-0020, I ate midrats at the Carib Café and returned to the clinic at approximately 0030. I was in the Nurses station getting medical records when I heard the front door open and MA personnel rushed in with a body board that had a detainee on it. One of them shouted, he has no pulse. At that point they went to our center treatment room and placed the detainee on the gurney. I immediately saw (b)(3) (b)(6) on the phone trying to call the Senior Medical Officer (SMO). She had dialed the number but handed me the phone and she responded to the detainee. I was instructed to stay at the Nurses Station and answer the numerous calls that were coming in from the DOC, Detention Hospital and other places. I was on the phone for about 30 minutes.

While I was at the Nurses Station, the other two detainees were brought in without my knowledge. I saw them later when I had been directed to deliver supplies to the medical staff working on the detainees.

When medical personnel come into contact with a detainee, (b)(2)

(b)(2) (b)(2)

(b)(2) When we are not busy in the clinic, most people find a quite place to work, however, we are not allowed to sleep on watch. On that particular night, I was the only one at the nurses station. The other medical personnel were elsewhere in the building. No one is allowed to

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Continuation of voluntary sworn statement of

(b)(3) (b)(6) (b)(7)(C)

(b)(3)
(b)(6)

on June 16, 2006

NCIS
b2
sleep on watch. When the first detainee arrived I heard and saw medical personnel coming out of the Pharmacy and supply room. (b)(3) (b)(6) (b)(7)(C) was immediately on station near me after the detainee was brought in. I had no advance knowledge a detainee was being brought to the clinic and had knowledge of a (b)(2). When there is a medical emergency, we are normally called on a three digit landline. We have medical radios, but they are not on the same channel as the guard radios.

This statement, consisting of this page and 1 other page(s) was typed for me by (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief.

(b)(3) (b)(6) (b)(7)(C)

Signature: _____

Sworn to and subscribed before me this 16th day of June in the year 2006 at _____

Witnessed: _____

(b)(7)(C)

Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

STATEMENT

Place : NCISRU GTMO, CUBA

Date : June 16, 2006

(b)(3) (b)(6) (b)(7)(C)
(b)(3) (b)(6) (b)(7)(C) I, (b)(3) (b)(6) (b)(7)(C) make the following free and voluntary statement to (b)(3) (b)(6) (b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the deaths of three detainees at Camp Delta on or about 10JUN06. (b)(3) (b)(6)

For purposes of identification (b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) (b)(7)(C)

to the Detention Hospital at Camp DELTA, GTMO, Cuba but I am permanent party at Naval Hospital

(b)(3) (b)(6) (b)(7)(C)

This statement is intended to elaborate on the information I previously provided to (b)(7)(C) on 10JUN06. (b)(3) (b)(6)

On 09JUN06, I was the Night Shift Team Leader at the Detention Clinic. I came on shift at (b)(2) that evening. It was a quiet shift and everything was calm. We had no detainees in the clinic and I think the only call we had was someone in (b)(2) with a headache or other minor complaint. (b)(3) (b)(6)

The only person that was absent, who have normally been there was (b)(3) (b)(6) (b)(7)(C). The rest of my nine person team was present for duty. (b)(3)

I went to chow at the Camp Delta Chow Hall, which is just a short walk from the clinic, at about 0030 10JUN06. (b)(3) (b)(6) was with me. I received a radio call at about 0040 or 0045. MED7, the call sign for (b)(3) (b)(6) (b)(7)(C) advised me to return to the clinic ASAP. (b)(3) spoke with sense of urgency. He provided me no information on the situation. I walked out of the chow hall and when the clinic came into view I could see the ambulance with a police escort pulling up. They never get there fast so I thought that a guard might be down and I broke into a run. It only took me a minute or two to cover the distance. (b)(3)

When I arrived in the treatment room of the clinic I saw (b)(3) (b)(6) (b)(7)(C) doing chest compressions on a detainee. The room I was in was the main treatment room. This was the only detainee that I saw and I did not know that there were other detainees in the clinic so I went to this detainee and relieved (b)(3) (b)(6) (b)(7)(C) and started performing chest compressions. We normally don't get multiple emergency patients at the same time, in fact we have never had multiple emergency patients at the same time. I took the chest compressions because I noted that (b)(3) (b)(6) was sweating from the exertion is was taking to do chest compression. (b)(3) (b)(6)

1077

on June 16, 2006

(b)(3)
(b)(6)
(b)(7)(C)

The detainee was pale and unresponsive. He was hooked up to the defibulator and I could see that he did not have a pulse but I checked his carotid artery for a pulse and could not find one. The detainee felt cold to the touch. I had on gloves at the time. His eyes were partially open but his gaze was fixed. He had a face mask on and someone was "bagging" (providing assistance to breath). His mouth was shut. I noticed that area where the lower jaw meets the neck was purple and on the front right (detainee's right) half of his neck there was a pronounced bulge. His head and neck were stiff but his limbs were still pliable. I did not notice if there was any swelling in the lower portions of the detainee's extremities. I did not observe anything in the detainee's mouth, and there was nothing tied around the detainee's neck, wrists or waist. The detainee was not restrained with shackles and hand cuffs but he was strapped to the back board. We did CPR for a few minutes and never got a pulse going. The defibulator automatically analyzing the patient's heart rhythm to determine if a shock is needed/appropriate. You can not shock on a flat line, you can only shock if a person is in ventricular tachycardia or ventricular fibulation. (b)(3) (b)(6)

(b)(3)
(b)(6)
(b)(7)(C)

When the paramedics arrived and we prepped him for transport. One of the things they did was put him on the AED. When they put him on the AED we all stopped touching the detainee and one of the paramedics hit the analyze button and the AED came back with the message that no shock was advised. We continued doing CPR and I was doing the chest compressions. One of the paramedic intubated the detainee. To get the tube in the paramedics had to pry open his mouth with a tongue blade (wooden tongue depressor). It looked like it took some force to get the detainee's mouth open but it was not too bad. The paramedics checked for placement of the tube and when they did that I stopped doing chest compressions. The tube was not in correctly so they pulled it out and put in a new tube which went in correctly. We then moved the detainee to the transport gurney and I switched over to bagging the detainee. We stopped doing chest compressions because we were wheeling him out the door and were just trying to get him out of there and to the hospital. We loaded him into the ambulance and I went back into the clinic. (b)(3) (b)(6)

(b)(3)
(b)(6)

While all of this was going on I did not see anything pieces of white cloth or braided white cloth in the clinic that appeared strange or out of place like it may have come from a detainee. There were some MA's in the clinic but they did not tell us what happened they just stood by silently. I know that COL (b)(3) (b)(6) came in and talked to (b)(3) (b)(6) but the only thing I remember being said was that the doctors had been called. (b)(3) (b)(6) (b)(7)(C)

(b)(3)
(b)(6)
(b)(7)(C)

After loading the first detainee into the ambulance I went back into the clinic and this was when I first realized that there were other detainees in the clinic being treated. I looked into the first exam room on the left and I saw that there were enough people in there treating that detainee. I did not go into this room at all. I then went into the second exam room on the left and I saw a third detainee being worked on by two Corpsmen. (b)(3) (b)(6) was bagging him and (b)(3) (b)(6) was doing chest compressions. I went and got the AED. This detainee was dressed in the regular tan pants and just the tan shirt, not t-shirt underneath. When trying to hook this detainee to the AED I found a white tube like cloth tied around the detainee's chest with a knot that I could not untie. I managed to pull it down around his waist so I could get his shirt pulled up so I could hook up the AED. This piece of cloth was tight and I struggled with it. I have no idea what the purpose of the strip of cloth was. I hit analyze on the AED and it advised not to shock the detainee. I then switched out with Presley and took over chest compressions and continued CPR. (b)(3) (b)(6) (b)(7)(C)

Continuation of voluntary sworn statement of

(b)(3) (b)(6) (b)(7)(C)

on June 16, 2006

(b)(3)
(b)(6)
(b)(7)

noticed that this detainee cold to the touch but his extremities and limbs were still pliable. His neck and head however were stiff. His eyes were open and his gaze was fixed. I checked for a pulse multiple times and never detected one. I observed that the area where the detainee's lower jaw met his neck was purple in color. I did not see any indentations in the skin. I saw that the the detainees feet appeared really big and puffy like skin was tight on his feet. I don't remember if he had on leg shackles but his hands were definitely not restrained because his arms were hanging down off the sides of the board as he was not strapped down as securely as the first detainee. There was noting else tied to the outside of the detainee that I saw. The Senior Medical Office, (b)(3) (b)(6) arrived and assessed the detainee. He ran a gauze pad across the detainee's eyes and got no response. The he tried to tube him but we could not get his jaw open. (b)(3) (b)(6) used the laryngoscope ~~sco~~ blade, which is made of metal, to pry the detainee's mouth open and in doing so broke some of the detainee's teeth. Once the mouth was open we saw that there was a big piece of cloth lodged in the back of the of the detainee's mouth. (b)(3) (b)(6) extracted it with forceps and it appeared to take a good amount of force to get it out. Once it was out I saw that it was folded repeatedly on itself and nearly as big as a wash cloth that was folded once in half. Once the cloth was out of the detainees mouth we inserted a nasal canula (tube to bypass the mouth and upper throat) because we saw that the detainees chest was not rising with the breaths so we thought there may have been something else obstructing the airway. Even with the nasal canula in we could not get the chest to rise. (b)(3) (b)(6) (b)(7)(C) then came in and did a cardiac thump which had not results. Then (b)(3) (b)(6) "called it" meaning that he was pronouncing the time of death. I looked at watch and it was 0115. Also, the AED stayed on and kept automatically analyzing but never advised a shock (b)(3) (b)(6)

(b)(3)
(b)(6)
(b)(7)
(C)

would say that the entire event took less than 30 minutes (b)(3) (b)(6)

In the aftermath of all that had happened I heard that the second detainee had something in his mouth. The cloth that we removed from the third detainee (second one that I worked on) was clamped to his shirt with the forceps and someone took a picture of it. Then we covered every body up with sheets, turned the AC down colder. The two remaining detainees were put in the same room. The guards maintained watch from the door. The admiral and some other people came in. The admiral gathered us all up and gave a little pep talk and debrief where he praised our efforts and said that the detainees had been trying to commit suicide for a long time (b)(3)

(b)(3)
(b)(6)
(b)(7)
(C)

The last time something like this happened was 18MAY06 about 0500. The night before the ~~signing~~ (b)(3) (b)(6) (b)(7)(C) was unusually loud and long singing and then the detainee tried to commit suicide by overdosing on his medication, which he had been hording instead of taking at the time of iss (b)(3) (b)(6) (b)(7)(C) the next morning (b)(3) (b)(6)

I never heard anyone describe how the detainees were found. I have not heard any of the MA's discuss events of that night (b)(3) (b)(6)

This time the guards brought the patients to us where as usually we go out to the cellblocks at (b)(3) (b)(6) (b)(7)(C)

(b)(3):5
USC
§574(i)

(b)(3)
(b)(6)
(b)(7)(C)

Page 3 of 4

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Continuation of voluntary sworn statement of
(b)(3) (b)(6) (b)(7)(C)

on June 16, 2006

(b)(3) evaluate the detainees that the guards think are having medical problems. I think the guards brought
(b)(6) them to us because they realized how bad the situation was. (b)(3)
(b)(7)(C) (b)(6)
(C) (b)(7)(C)

There is noting else that I wish to add to this statement. No one from the command has instructed me
on what to say or tried to influence the content or color of the information I have provided. I have
been treated well today and felt comfortable talking to (b)(7)(C) (b)(3)
(b)(6)
(b)(7)(C)

This statement, consisting of this page and 3 other page(s) was typed for me by (b)(7)(C) as we
discussed its contents. I have read and understand the above statement. I have been given the
opportunity to make any changes or corrections I desire to make and have placed my initials over the
changes or corrections. This statement is the truth to the best of my knowledge and belief (b)(3)
(b)(6)
(b)(7)(C)

Signature: (b)(3) (b)(6) (b)(7)(C) 1078

Sworn to and subscribed before me this 16th day of June in the year 2006 at

GTMO, Cuba (b)(7)(C)

Witnessed: _____

Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

STATEMENT

Place : NCISRU GTMO

Date : June 16, 2006

I, (b)(3) (b)(6) (b)(7)(C) make the following free and voluntary statement to (b)(7)(C) (b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of treatment provided to the three detainees on 10Jun06. (b)(3) (b)(6) (b)(7)(C)

For identification purposes (b)(3) (b)(6) (b)(7)(C) (b)(3) (b)(6) (b)(7)(C)

On 10Jun06, at approximately 0045 hours, (b)(3) (b)(6) (b)(7)(C) advised me that they were bringing a detainee into the detention clinic. When the first detainee arrived he looked unresponsive. His eyes were rolled back; his jaw and hands were locked. The detainee also had a strong odor as if he defecated on himself. The detainee also had (b)(2) but I'm unsure exactly what it was.. I did not see the detainee's hand or legs bound. (b)(3) (b)(6) (b)(7)(C)

The first detainee was placed on the examination table. We attempted to get vital signs from the detainee but we were not able because he had no pulse. We gave the detainee oxygen, an IV, and we started to perform CPR. We performed CPR on the first detainee for approximately ten minutes and he was still unresponsive. We decided to use the defibulator but we were unable to because the machine advised us not to shock him. We attempted to perform CPR on the subject again for approximately five minutes. We attempted to use the defibulator again but the machine still advised us not to shock him. We decided to send the first detainee to the Naval Hospital Emergency Room at that time. While providing care for the first detainee the second detainee came into the detention clinic. (b)(3) (b)(6) (b)(7)(C)

The second detainee appeared to be unresponsive. His jaws and hands were locked. I did not see the second detainee's hand or legs bound. I assisted with CPR by performing chest compressions on the second detainee. I assisted with the CPR for approximately five minutes until I was asked to drive the first detainee to the Naval Hospital. Before leaving the detention clinic I saw a third detainee arriving at the clinic. (b)(3) (b)(6) (b)(7)(C)

I took me approximately 3-4 minutes to get the first detainee to Naval Hospital. The first detainee (b)(3) (b)(6) (b)(7)(C) was removed from the ambulance and I drove back to the detention clinic. When I arrived at the detention clinic the Admiral was there. The Admiral told everybody to stand down. I had no further involvement with the three detainees at that point. (b)(3) (b)(6) (b)(7)(C)

This statement, consisting of this page and 1 other page(s) was typed for me by (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief. (b)(7)(C)

(b)(7)(C)

Continuation of voluntary sworn statement of
(b)(3) (b)(6) (b)(7)(C)

on June 16, 2006

(b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) (b)(7)(C)

Signature: _____

(b)(3) (b)(6) (b)(7)(C)

Sworn to and subscribed before me this 16 day of June in the year 2006 at

(b)(3) (b)(6)

(b)(7)(C)

(b)(3) (b)(6)

(b)(7)(C)

0827

(b)(7)(C)

Witnessed: _____

Representative, Naval Criminal Investigative Service

AUTH: DERIVED FROM ARTICLE 136,

UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

(b)(7)(C)

1082

STATEMENT

Place: Naval Legal Service Office, Guantanamo Bay, Cuba

Date: June 16, 2006

(b)(3) (b)(6)
(b)(7)(C)

(b)(3) (b)(6) (b)(7)(C)

At this time, I, (b)(3) (b)(6) (b)(7)(C), make the following free and voluntary statement to (b)(7)(C) whom I know to be a Special Agent with the Naval Criminal Investigative Service (NCIS). I make this statement of my own free will and without any threats made or promises extended to me. I fully understand that this statement is given concerning my schedule in administering medications in Camp 1, A Block, which is part of Camp Delta, Guantanamo Bay, Cuba, on the evening of 09JUN06; and my subsequent rendering of medical assistance to a detainee, Internment Serial Number (b)(2), and a second detainee, during the early morning hours of 10JUN06. (b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) (b)(7)(C)

As background, my duties as a corpsman at Camp Delta include administering of medications to detainees, as specified in the Medication Administration Records (MAR's). I am also available while on duty to assist doctors and nurses, as they render medical aid to detainees. I reside at Camp America, which is near to Camp Delta. (b)(3) (b)(6) (b)(7)(C)

ADMINISTERING MEDS IN THE CELL BLOCKS

On the evening of 09JUN06, I arrived at the Detention Clinic, which is located at Camp Delta. I arrived at the clinic at about 1910. I commenced my twelve hour shift at 1945. As part of my normal duties as a corpsman, I commenced medication ("med") passes at 2000. I took meds to (b)(2) Block, within Camp 1, and offered meds to the detainee in cell E-9. He didn't want his meds that night, so I returned back to the clinic and made the appropriate entries in the MAR's. The nurse initialed along with my entries. (b)(3) (b)(6)

At 2130, I commenced my second med pass, and proceeded with meds to the Alpha Block. As part of this med pass, I actually went to three blocks, but Alpha was the first one. I remember offering meds to ISN 049, who was in cell (b)(2). I remember that I proceeded from cell (b)(2) where I offered meds to (b)(6). I also had two other med passes in A block. When I offer meds, the detainees do not always accept them, as mentioned above. (b)(3) (b)(6)

NCIS

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Sworn Statement of (b)(3) (b)(6) (b)(7)(C)

Naval Criminal Investigative Service Resident
Unit

Naval Station, Guantanamo Bay, Cuba

June 16, 2006

(b)(3)
(b)(6)
(b)(7)(C) In the course of these med passes, I can state that I was walking in the A block during roughly the time frame 2137 to 2149. At that time, I do not recall hearing any chanting. I heard the usual chatter across the cells between detainees, all of it in foreign languages. I did not observe anything unusual during this time. (b)(3)
(b)(6)
(b)(7)(C)

I continued my med passes that evening. The rest of that evening went smoothly, and I noticed nothing out of the ordinary. I do not recall hearing any chanting that evening, in the locations that I was in. My rounds that evening took me to a total of three cell blocks, A, (b)(2) (b)(3) (b)(6)
(b)(7)(C)

Along with all other corpsman, I must have an escort at all times while walking in the blocks. I did have a guard with me as escort that evening as I did my med passes. I do not recall his name, but I would remember his face if I saw him again. (b)(3)
(b)(6)
(b)(7)(C)

RENDERING MEDICAL AID TO ISN 93

Shortly after midnight, probably around 0030, the block phone rang in our clinic, and a nurse answered it. The caller advised that guards were bringing in a detainee, and they couldn't find a pulse. Within three minutes, the detainee was brought into our clinic, the Detention Clinic at Camp Delta. The guards had him strapped down on a spine board. I could tell that this was not a typical call, as the guards arrived so quickly and were walking at a quick pace. We identified the detainee being brought in as ISN 93. (b)(3) (b)(6)
(b)(7)(C)

I immediately began to assist the nurse in rendering medical aid to ISN 93. We began to administer oxygen through the non-rebreather mask, and then we worked with the intravenous (IV) feeder, at first trying both arms. (b)(3)
(b)(6)
(b)(7)(C)

While we were aiding ISN 93 we heard someone shout a (b)(2) alert. We heard that over the radios that the guards carried. The (b)(2) was called for the alpha block. (b)(2) is a code word for attempted suicide. (b)(3) (b)(6)
(b)(7)(C)

We continued to assist ISN 93. I attempted to get his blood pressure and pulse, and in general, to get an idea of his vital signs. (b)(2) I mentioned it to the nurse. (b)(2) (b)(2)

(b)(2)
(b)(2)
(b)(2)
(b)(2)
(b)(2) After I and immediately put the oxygen mask back on ISN (b)(3)
(b)(6)
(b)(7)(C)

(b)(3) (b)(6) (b)(7)(C)

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Sworn Statement of (b)(3) (b)(6) (b)(7)(C)

Naval Criminal Investigative Service Resident
Unit

Naval Station, Guantanamo Bay, Cuba

June 16, 2006

(b)(3)
(b)(6)
(b)(7)(C) (b)(2) 93. At about the same time, another medical person pulled a cloth off of ISN 93's neck.

At the time we rendered medical aid to ISN 93, his shirt was still on. His arms were normal hue and color at that time. I do not recall off hand the color of his fingers or toes (b)(3) (b)(6) (b)(7)(C)

RENDERING MEDICAL AID TO A SECOND DETAINEE

(b)(2) I noticed a second detainee being rushed into the clinic on a backboard, also by guards. As there were already several people assisting in medical aid to 93, I volunteered to immediately come to the assistance of the second detainee. I do not recall off hand the ISN of the second detainee. I helped another corpsman (b)(3) (b)(6) (b)(7)(C) render aid to the second detainee. He told me we needed IV supplies, so I obtained them and he started an IV on him. We were able to enter the IV needle in the left arm. I obtained an "ambu" bag, to administer oxygen to the detainee's mouth through force. It uses a mask to cover mouth and nose. I placed the mask over the detainee's mouth and nose. While I was doing this, another corpsman, (b)(3) (b)(6) administered chest compressions for cardiopulmonary resuscitation (CPR). (b)(3) (b)(6) and I took turns, at about three minute intervals, administering the "ambu" bag and CPR. While we administered CPR, the corpsman doing the chest compressions had to kneel on the edge of the table. A guard would help stabilize one of us by holding our ankles in place. Only our kneecaps would be on the edge of the table (b)(3) (b)(6) (b)(7)(C)

This second detainee did not have a cloth around his neck when I saw him. On his neck, I saw a reddish or purplish line from an apparent hanging. The line was about an inch wide. I saw it on the front part of his neck, as he was on the spine board. The second detainee's mouth was shut so (b)(2) (b)(3) (b)(6)

We continued attempts at CPR for about fifteen minutes. A doctor then arrived and realized that the detainee's mouth was shut. We explained to the doctor that we couldn't get the detainee's mouth open. The doctor and nurse worked together and tried to force the detainees' jaw open, using a steel instrument called a laryngoscope. They attempted for some time, but were unable to open the detainee's jaw. (b)(3) (b)(6)

Before we administered CPR to the second detainee, we sheared open his shirt. At that point in time, the skin of his chest appeared normal. I was busy administering CPR and therefore I do not remember the color of his toes or fingers. (b)(3) (b)(6)

At 0115, the doctor pronounced the second detainee dead. He instructed us to stop our attempts to revive this detainee. (b)(3) (b)(6)

(b)(3) (b)(6) (b)(7)(C)

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Sworn Statement of (b)(3) (b)(6) (b)(7)(C)

Naval Criminal Investigative Service Resident
Unit

Naval Station, Guantanamo Bay, Cuba

June 16, 2006

(b)(3)
(b)(6)
(b)(7)(C) Shortly after this pronouncement, I learned that there was a third detainee who had been wheeled in, following a third suicide attempt. I did not actually observe the third detainee. Also shortly after this pronouncement, I learned that this third detainee had been pronounced dead. I also learned that ISN 093 had been transported to the Naval Hospital, which is on the main side of the Naval Station. I later learned that all three suicides were from hangings. (b)(3)
(b)(6)

AFTERMATH OF THE INCIDENT

After the second detainee and third detainees had been pronounced dead, and the first detainee, ISN 93, had been transported to the Naval Hospital, we cleaned up the area and awaited further instructions. Our (b)(3) (b)(6) (b)(7)(C) as well as Admiral HARRIS, visited our clinic. There were a lot of people at the clinic at this time, including guards, corpsmen, and officers. (b)(3)
(b)(6)

Later on in the morning, probably at about 0300, some NCIS agents arrived. I talked to an NCIS agent, and gave her some information about what I had observed. I also filled out a handwritten statement. I gave this handwritten statement to another corpsman, who in turn gave it to a Navy LT. (b)(3) (b)(6)
(b)(7)(C)

(b)(3) (b)(6)
(b)(7)(C)

(b)(3)
(b)(6)
(b)(7)(C)

(b)(3)
(b)(6)
(b)(7)(C) No Further Entries This Page
Continued Next Page

(b)(3)
(b)(6)
(b)(7)(C)

(b)(3)
(b)(6)
(b)(7)(C)

(b)(3)
(b)(6)
(b)(7)(C)

(b)(3)
(b)(6)

(b)(3) (b)(6) (b)(7)(C)

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Page Five of Five Pages

Sworn Statement of (b)(3) (b)(6) (b)(7)(C)

Naval Criminal Investigative Service Resident

Unit

Naval Station, Guantanamo Bay, Cuba

June 16, 2006

SUMMARY

(b)(3) In summary, I did a med pass in the A block on the evening of Friday, 09JUN06, during
(b)(6) roughly the period 2137 to 2149, at which the block appeared to me to be normal. I also
(b)(7)(C) assisted in rendering medical aid to ISN 93, and a second detainee, and was able to
observe their condition. I learned that a third detainee had been brought to the clinic, but
did not actually observe him. I later learned that all three detainees had hung
themselves (b)(3)

I have provided the above statement, consisting of this and the previous four pages, to
(b)(7)(C) (b)(7)(C) has typed this statement for
me at my request. I have read and understand this statement. I have been given full
opportunity to make corrections and revisions. I have placed my initials over any
changes or corrections. This statement is the truth to the best of my knowledge and
belief (b)(3) (b)(6) (b)(7)(C)

Sworn and subscribed to before me this sixteenth day of June, 2006, at the Navy Legal
Services Office, Guantanamo Bay, Cuba (b)(7)(C)

Witnessed:

Special Agent, Naval Criminal Investigative Service

Authority: Derived from Article 136, UCMJ (10 USC 936) and 5 USC 303

STATEMENT

Place : NCISRU Guantanamo Bay, Cuba

Date : June 16, 2006

(b)(3)
(b)(6)
(b)(7)(C) I, (b)(3) (b)(6) (b)(7)(C) make the following free and voluntary statement to Special Agent
(b)(7)(C) whom I know to be a Representative of the United States Naval Criminal
Investigative Service. I make this statement of my own free will and without any threats made to me
or promises extended. I fully understand that this statement is given concerning my knowledge of the
three detainees who were transported to the Detention (DET) Clinic on 10Jun06. (b)(3)

For the purposes of identification (b)(3) (b)(6) (b)(7)(C)
(b)(3) (b)(6) (b)(7)(C)

For background I arrived at JTF-GTMO on 07Apr06 for a six (6) month TDY assignment at the DET
Clinic. I am scheduled to leave in OCT06. On 09Jun06, I was scheduled to work the night shift from
(b)(2) on 10Jun06. Working that night with me at the DET Clinic were one nurse (b)(3)
(b)(3) (b)(6) and the following Corpsman: (b)(3) (b)(6) (b)(7)(C) (b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) (b)(7)(C)
(b)(3) (b)(6) My duties include passing out medications to the detainees in the various Blocks two
times a shift. The (b)(2) is usually between (b)(2) is normally done
between (b)(2) Each Corpsman is normally assigned two blocks to pass out meds. (b)(3)
(b)(6)
(b)(7)(C)

On 09-10Jun06 nightshift, I was assigned to pass out meds to (b)(2) blocks. At
approximately 0030 I went to the Caribbean Café Galley along with (b)(3) (b)(6) (b)(7)(C) to get chow.
We normally have between 30-60 minutes to eat. While I was with (b)(3) (b)(6) at chow we received
a call over the radio to return to the DET Clinic ASAP. We rushed back to the DET Clinic. (b)(3)
(b)(6)

When we arrived at the Clinic I believe all three detainees were already inside. The reason I think this
is the case is because I remember an MA saying to me that we had 3 spine boards at the DET Clinic
and could they get another one in case they needed it on the blocks. The 1st detainee was inside the
treatment room with (b)(3) (b)(6) (b)(7)(C) went into that room to
(b)(3) (b)(6) next went into the Nurse's office to help (b)(3) (b)(6) (b)(7)(C) find a telephone number.
HM2 HALL called for some help getting an item for her. There are two exam rooms and a treatment
room in the DET Clinic. The treatment room is on the North side of the DET clinic and the two exam
rooms are on the south side of the DET clinic. The exam rooms are the last two rooms on the
southwest side of the DET Clinic. After helping (b)(3) (b)(6) with the item I went to the last exam
room all the way in the southwest corner of the DET clinic. There was a detainee in both exam rooms
being treated. The exam rooms are number 10 and 11, but I can't remember which one is which. The
exam room I entered first had (b)(3) (b)(6) a nurse from the Detainee Hospital (b)(3) (b)(6), and
two MA's inside working on the detainee. They were performing Cardio Pulmonary Resuscitation
(CPR). (b)(3) (b)(6) was performing chest compressions and (b)(3) (b)(6) was pumping the Bag
Valve Mask (BVM). (b)(3) (b)(6) asked me to get some O2 (oxygen). I went to get the O2 from the
treatment room. At that time the medical personnel were taking the detainee from the treatment room. (b)(3)
(b)(6)
(b)(7)(C)

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Continuation of voluntary sworn statement of

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

on June 16, 2006

(b)(3):10 USC §130b,(b)(6),(b)(7)(C) out to the ambulance. I brought O2 to the exam room where L (b)(3):10 USC §130b,(b)(6),(b)(7)(C) was located. I connected the O2 to the BVM. (b)(3):10 USC §130b,(b)(6),(b)(7)(C)

(b)(3):10 USC §130b,(b)(6),(b)(7)(C) at this time I went to the other exam room to check on them and see if they needed any help. Inside (b)(3):10 USC §130b,(b)(6),(b)(7)(C) at exam room were (b)(3):10 USC §130b,(b)(6),(b)(7)(C) and at least two MA's. They were performing CPR on that detainee (b)(3):10 USC §130b,(b)(6),(b)(7)(C) sure they didn't need anything and returned to the other exam room. At that time (b)(3):10 USC §130b,(b)(6),(b)(7)(C) needed relief from performing chest compressions so I took over doing chest compressions. I continued that until (b)(3):10 USC §130b,(b)(6),(b)(7)(C) entered the room with the Automatic External Defibrillator (AED). When we went to attach the lines for the AED I noticed that the detainee had some sort of cloth material that resembled t-shirt material, around his torso across his stomach. There was a knot in the front of the material in the area of his stomach. This detainee's feet were blue, his eyes were wide open and I could see the bruising around his neck where the material had been removed. We could not get the detainee's mouth open. The detainee was not wearing any shoes, he did have on pants and I believe his shirt had been cut open in the DET Clinic. (b)(3):10 USC §130b,(b)(6),(b)(7)(C)

The AED was hooked up but it never advised us to shock the patient. We continued to check for a pulse, but never found one. We continued CPR and continued the breathing with the BVM. HM2 (b)(3):10 USC §130b,(b)(6),(b)(7)(C) relieved me from the chest compressions. When she did this, I went to check on the personnel in the other exam room. At that time (b)(3):10 USC §130b,(b)(6),(b)(7)(C) was in that room trying to get that detainee's mouth open with no luck. (b)(3):10 USC §130b,(b)(6),(b)(7)(C)

(b)(3):10 USC §130b,(b)(6),(b)(7)(C) the Senior Medical Officer (SMO) (b)(3):10 USC §130b,(b)(6),(b)(7)(C) arrived in the clinic as did Dr (b)(3):10 USC §130b,(b)(6),(b)(7)(C). When I returned to the exam room where I had spent most of my time the SMO was there trying to get the detainee's mouth open. He was able to pull out some white cloth material from the detainee's mouth and I remember seeing it on the floor. They were still performing CPR. Dr (b)(3):10 USC §130b,(b)(6),(b)(7)(C) came in to check responses and ask questions about any responses. Both of the detainees in the two exam rooms were pronounced dead about 0115-0116. The medical staff were all relieved early about 0630, on 10 Jun06. (b)(3):10 USC §130b,(b)(6),(b)(7)(C)

This statement, consisting of this page and 1 other page(s) was typed for me by (b)(3):5 USC §574(i),(b)(3):10 USC §130b,(b)(6),(b)(7)(C) I as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief. (b)(3):10 USC §130b,(b)(6),(b)(7)(C) AMF

Signature: (b)(3):10 USC §130b,(b)(6),(b)(7)(C)

Sworn to and subscribed before me this 16 day of June in the year 06 at

0940 NCISRU Guantanamo Bay, Cuba (b)(7)(C)

Witnessed: (b)(3):10 USC §130b,(b)(6),(b)(7)(C)

Rep
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ice

UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

1089

STATEMENT

PLACE: NCISRA Guantanamo Bay, Cuba

DATE: 16JUN06

(b)(3)

(b)(3) (b)(6) (b)(7)(C)

I, (b)(3) (b)(6) (b)(7)(C), make this free and voluntary statement to (b)(7)(C) whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the deaths of three detainees found hanged on 10JUN06 inside Alpha Block, Camp 1 aboard the Joint Task Force Guantanamo Bay, Cuba. (b)(3)

(b)(3)

(b)(3) (b)(6) (b)(7)(C) for identification purposes (b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) (b)(7)(C) I am currently serving on active duty with the United States Navy and work as a Hospital Corpsman (HM) aboard the Guantanamo Bay Joint Task Force Dentition Facility. (b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) (b)(7)(C)

I have been stationed at GTMO since 19MAR06. I was stationed at GTMO APR05 through OCT05 during my first tour here. (b)(3)

(b)(3)

(b)(6) During the course of my assigned duties, I have probably seen the three deceased detainees alive and well prior to being transported into the Detainee Clinic on 10JUN06, however I cannot specify the exact dates. (b)(3)

(b)(3)

I reported for duty at the Detainee Clinic on 09JUN06 at 2000 hrs as scheduled. I am referred to as (b)(2) while standing watch at the Detainee Clinic. I received passdown from the day crew, as normal, and began the typical duties of my shift. I did not notice any event or circumstance out of the norm, and it seemed to me like to be a normal night. At approximately 0045 hrs, I was performing the tasks of my collateral duty of "Supply Petty Officer", conducting an inventory of the clinic's medical supplies, when (b)(3) (b)(6) the shift nurse, informed all medical personnel present in the clinic that; "We have a detainee coming in without a pulse." Two shift members were not present at the time. (b)(3) (b)(6) (b)(7)(C)

They both were at chow. I donned my blouse and "stab vest" and assisted my shift-mates ready the treatment room for the detainee's arrival. At approximately 0047 hrs, four (4) guards opened the main entrance door and carried the detainee, who was strapped to the spineboard, and placed him on the gurney in the treatment room. (b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) (b)(7)(C) was attempting to find a pulse. (b)(3) (b)(6) (b)(7)(C)

(b)(3) was attempting to insert an IV line into the detainee's arm. At this point, one of the guards who helped transport the detainee into the clinic asked me if we had any more spineboards on hand and explained they had two (2) to three (3) more detainees coming in. I retrieved two spineboards from one of the supply rooms and gave them to him. He and another guard who assisted to transport the first detainee into the clinic took the

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Continuation of Voluntary Sworn Statement of

(b)(3) (b)(6) (b)(7)(C)

On 16JUN06

spineboards and departed the clinic. I noticed the detainee's hands were bound around his torso with what I believe to be a bed sheet. (b)(3) (b)(6) then instructed me to call (b)(3) (b)(6) (b)(7)(C) the Senior Nurse of the Detainee Clinic, and to initiate the recall protocol. I departed the treatment room and used the telephone in the nurse station. After I had contacted (b)(3) (b)(6) I exited the nurse station and noticed another detainee, whom I later learned was the third detainee, being transported into the Detainee Clinic by four (4) guards. The guards placed the detainee onto the exam table in exam room ten (10). Two of the guards then departed the Detainee Clinic, while the other two (2) remained in exam room ten (10) with the detainee. I began to attempt to find the detainee's vital signs. I noticed the detainee was cyanotic and had no respirations. I was not able to detect any vital signs. (b)(3) (b)(6) (b)(7)(C) instructed me to begin performing chest compressions on the detainee. She also instructed one of the guards to perform artificial respiration. The guard and I performed Cardio Pulmonary Respiration (CPR) for approximately five to ten (5-10) minutes until (b)(3) (b)(6) relieved me and assumed performing chest compressions. I then relieved the guard and assumed administering artificial respirations. (b)(3) (b)(6) and I performed CPR on the detainee for approximately one to two (1-2) minutes when (b)(3) (b)(6) brought in a defibrillator (AED). (b)(3) (b)(6) and I discontinued conducting CPR while (b)(3) attached the AED to the detainee. The AED indicated it detected "no shockable rhythm." (b)(3) (b)(6) and I then resumed performing CPR, as is standard practice until a physician can determine the status of the patient. We continued performing CPR for approximately two (2) minutes when (b)(3) (b)(6) (b)(7)(C) entered the examination room and connected an oxygen supply line to the Bag-Valve Mask (BVM) which I was using to artificially respire the detainee. After approximately two (2) more minutes, the AED indicated to discontinue performing CPR while it took its second reading of the detainee. Again, the AED indicated "no shockable rhythm." At that time, (b)(3) (b)(6) (b)(7)(C) the Senior Medical Officer (SMO), entered examination room ten (10) and attempted to intubate the detainee. (b)(3) (b)(6) however, was unable to do so because the detainee's jaw was locked shut and he could not open it. I assisted (b)(3) (b)(6) to open the detainee's mouth. While struggling to open his mouth, we broke at least one (1) of the detainee's teeth. We eventually opened the detainee's mouth and discovered what I believe to be a white nylon sock inserted inside the back of the detainee's mouth. (b)(3) (b)(6) extracted the sock from the detainee's mouth, and again attempted to intubate the detainee. The second attempt to intubate the detainee also failed. (b)(3) (b)(6) was not able to place the intubation tube down the detainee's airway. (b)(3) (b)(6) then fitted the detainee with a nasal airway. (b)(3) (b)(6) and I then resumed performing CPR. We performed CPR for approximately two to three (2-3) minutes when (b)(3) (b)(6) entered examination room ten (10) and performed several tests on the detainee attempting to detect signs of life. (b)(3) (b)(6) detected no signs of life and called the time of death at 0116 hrs. At this time, all efforts being conducted to revive the detainee were ceased. All personnel in the examination room then exited. It was at this time that I

Continuation of Voluntary Sworn Statement of

(b)(3) (b)(6) (b)(7)(C)

On 16JUN06

learned a third detainee was transported to the Detainee Clinic and was located in examination room eleven (11). The time of death for the detainee in examination room eleven (11) had already been determined and called. We were instructed to relocate the detainee from examination room eleven (11) to examination room ten (10) with the other detainee. Approximately four to five (4-5) minutes later, Admiral HARRIS entered the Detainee Clinic and thanked us for our efforts and indicated he believed the detainees were probably Dead On Arrival (DOA). We then cleaned up and prepped the Detainee Clinic for possible additional arrivals. (b)(3) (b)(6)

(b)(3)
(b)(6)

This statement, consisting of this page and two (2) other page(s) were typed for me by Special Agent (b)(3):5 USC as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desired to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief. (b)(3) (b)(6) (b)(7)(C)

Signature

Sworn to and subscribed before me this 16 day of JUNE in the year 06
at Guantanamo Bay, Cuba.

Witnessed:

(b)(7)(C)

Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

STATEMENT

PLACE: NCISRU Guantanamo Bay, Cuba Office

DATE: June 16, 2006

(b)(3) I, (b)(3) (b)(6) (b)(7)(C) make this free and voluntary statement to (b)(7)(C)
(b)(6) whom I know to be a Representative of the United States Naval
(b)(7)(C) Criminal Investigative Service. I make this statement of my own free will and without
(C) any threats made to me or promises extended. I fully understand that this statement is
given concerning my knowledge of the deaths of three detainees residing in Alpha Block,
Camp Delta on 10JUN06. (b)(3)
(b)(6)

For identification purposes (b)(3) (b)(6) (b)(7)(C)

(b)(3) (b)(6) (b)(7)(C) I I

I was on duty at the Detention Clinic at Camp Delta on 09JUN06 from 1945 until 0745.
My duties as a HN include preparing medication boxes (Med Box) for the detainees in
(b)(2) I prepare the Med Box using a Medication Administration Record (MARS) that
is found in a binder that is labeled for the camp. Once I have prepared the Med Boxes I
drive to (b)(2) to deliver them to the detainees. We call this process "med pass." Med
pass is performed twice during my shift, once at 2200 and once at 0600. I have a
Bachelors Degree in Psychology from the University of Toledo (b)(3)
(b)(6)

During my shift on 09JUN06, I began normally by preparing the Med Boxes and then I
delivered them at 2200 to Alpha and (b)(2) in (b)(2) I started to drive out to
(b)(2) at 2115 and returned sometime between 2230 to 2300. I went out with HN
(b)(3) as he performed med pass at (b)(2) Blocks. When I returned I
completed the MARS indicating the med pass was performed. I took "mid-rats"
sometime between 2300 and 0045. At approximately 0043, I heard that the Detention
Clinic received a call from a Master at Arms (MA) that a detainee without a pulse was
coming to the clinic. I believe (b)(3) (b)(6) told me that the detainee was coming in. At
approximately 0045, the detainee came through the door being carried on a backboard by
approximately 5 MAs. I did not know the MAs. I was approximately five feet from the
detainee and noticed that he was "Cyanotic," or bluish in color, and that he had a deep
purple ring around the front of his neck. I also noticed that the detainee had a rag, which
looked like the material from a bed sheet, stuck in his mouth. The detainee was not
breathing. I observed approximately four corpsmen, I cannot remember who, working on
the detainee. They were attempting to start intravenous fluids (IV) on the detainee and to
give him oxygen. (b)(1)

After about 5- 10 minutes of observing the first detainee, I was pulled out to provide
assistance to another a detainee that had been brought in. I cannot remember who (b)(3)
(b)(6)

(b)(3) informed me that another detainee was being brought in but believe it was (b)(3):10 (b)(3) (b)(6) (b)(7)(C) and I tried to revive this detainee. When I first saw the detainee he was coming down the hall of the clinic on a backboard being carried by multiple MAs. They carried him into the exam room 11, which is next to the laboratory. I followed the detainee into the exam room and observed that like the first detainee this one was cyanotic, had a deep purple ring around the front of his neck and appeared lifeless. He did not have a rag in his mouth. His hands were bound with cloth but did not have handcuffs on them. Somebody unbound his hands and cut his shirt off. I then tried to start an IV in the detainee's left "AC" vein, which took longer than normal maybe two minutes. For some reason I do not understand, the IV did not want to go in. It felt like hitting a valve in the vein. The detainee had good veins and the IV eventually went in. After the IV was in I (b)(3) gave the detainee atropine. The patient could not be intubated because his jaw was locked closed so I (b)(3) (b)(6) then tried to open the detainee's jaw with a laryngoscope but was unsuccessful. I started helping (b)(3) (b)(6) provide chest compressions because the detainee did not have a pulse. (b)(3) (b)(6) was working on the oxygen bag. I noticed that the detainee had some type of food seeping out of his teeth. The food looked like peanut butter and crackers but I do not know if it was regurgitation or if he was eating before the distress. Senior Medical Officer Dr. (b)(3) tried to place a laryngeal mask on the patient but was unsuccessful. (b)(3) (b)(6) (b)(7)(C) and I continued to provide chest compression and oxygen for approximately 20 minutes. Approximately every five minutes, or three-times total, the AED that was connected to the detainee by (b)(3) (b)(6) (b)(7)(C) was consulted to determine if he could be shocked. Once the AED is connected it will say "analyzing." If the AED reads "defib" or "vtac" heart waves then it will say "stand clear." In this case the machine said "no shock advisable, continue CPR." The AED machine takes less than 30 seconds to evaluate the patient and to provide a response. At 0115, (b)(3) (b)(6) made the decision that the detainee was dead. I left the exam room. (b)(3) (b)(6)

(b)(3) One of the male nurses, I cannot remember his name, told me to clean and prepare the treatment room, X-ray room, and other rooms for other detainees that may arrive. I worked on this task for approximately fifteen minutes. I also cleaned by picking up trash and prepared the room that the second detainee had been in. The second detainee was moved into exam room 10 where the third detainee was. I did not see when the detainee from exam room 11 was moved nor do I know who moved him. I never saw the third detainee. About 0130, (b)(3) (b)(6) told me to go to the hospital to get the "death kits." I went to the hospital but they would not give me the entire death kit because I did not have the proper paper work. They gave me three "shroud kits," or body bags, and I returned to the clinic with them. I gave the shroud kits (b)(3) (b)(6) (b)(7)(C). The round trip took approximately 45 minutes. (b)(3) (b)(6)

(b)(3) 5 At approximately 0215 I went outside the clinic where the other corpsmen were congregating to unwind. The chaplain also visited with us. The total time we were outside the clinic was approximately 30 to 45 minutes. I then drove (b)(3) (b)(6) (b)(7)(C) to the "IOF" to deliver paperwork on the detainees. I cannot remember when, but sometime before 0600 (b)(3) (b)(6) (b)(7)(C) in and I took the two detainee's bodies to the hospital morgue. I did not see the condition of the bodies nor do I know what (b)(3) (b)(6)

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(b)(3) (b)(6) happened to them after 0130. (b)(3) (b)(6) had transported the first detainee to the
(b)(6) hospital sometime earlier. (b)(3) (b)(7)(C)
(b)(6)

(b)(3) (b)(6) (b)(7)(C)

Continuation of Voluntary Sworn Statement of

M (b)(3) (b)(6) (b)(7)(C)

On 16 June 2006

(b)(3) (b)(6) (b)(7)(C)

This statement, consisting of this page and 3 other page(s) was typed for me by (b)(7)(C) (b)(7)(C) as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief.

Signature

(b)(3) (b)(6) (b)(7)(C)

Sworn to and subscribed before me this 16th day of June in the year 2006 at NCISIRV Guantanamo Bay, Cuba

Witnessed

(b)(7)(C)

vice

UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

STATEMENT

Place : NCISRU GTMO

Date : June 16, 2006

(b)(3):10 USC
(b)(3):10 USC
§130b.(b)(6).(b)(7)(C)
h, make the following free and voluntary statement to Special Agent
whom I know to be a Representative of the United States Naval Criminal
Investigative Service. I make this statement of my own free will and without any threats made to me
or promises extended. I fully understand that this statement is given concerning my knowledge of
treatment given to the three detainees on 15 Jun06. (b)(3):10 USC

(b)(3):10 USC §130b.(b)(6).(b)(7)(C)

On 10Jun06, at approximately 0040, the first detainee came into the detention clinic. The first detainee
had what appeared to be a t-shirt wrapped around his hands and had blue marks on his neck. The
detainee also had what appeared to be a shredded t-shirt inside of his mouth that (b)(3):10 USC
§130b.(b)(6).(b)(7)(C)

We attempted to get vitals signs on the detainee but there were none. We started an IV, opened an
airway, and provided the detainee with oxygen. We performed CPR on him for approximately 10-15
minutes but he was unresponsive. We attempted to use the defibrillator but it advised us not to shock
him. The nurse also provided the detainee with atropine via IV but that did not help. I continued to do
CPR until I was relieved by (b)(3):10 USC
§130b.(b)(6).(b)(7)(C)

The ambulance came and the HM's started to assist us with CPR on the first detainee. This continued
until the decision was made to transport the first detainee to the Naval Hospital. I noticed that a
second and the third detainee arrive at the detention clinic while we were preparing to move the first
detainee. The first detainee was loaded into the ambulance and the departed the detention clinic (b)(3):10 USC

After the first detainee left, I called Camp America for additional personnel. I assisted the doctors by
providing them with anything they asked for at that point. I do not remember anything specific about
the second or third detainee because I wasn't in the room with them. (b)(3):10 USC

In my opinion we did everything that we could for the detainees. I believe that they were already dead
for a short while when they arrived at the detention clinic. We later transported the second and third
detainees to the morgue. I had no further involvement with them at that point. (b)(3):10 USC

This statement, consisting of this page and 1 other page(s) was typed for me by (b)(7)(C)
as we discussed its contents. I have read and understand the above statement. I have been given the
opportunity to make any changes or corrections I desire to make and have placed my initials over the
changes or corrections. This statement is the truth to the best of my knowledge and belief. (b)(3):10 USC

Signature: _____

Sworn to and subscribed before me this 16 day of June in the year 2006 at

1097

Continuation of voluntary sworn statement of

(b)(3):10 USC
§130b (b)(6) (b)(7)(C)

on June 16, 2006

0910

Witnessed: _____

(b)(7)(C)

Representative, Naval Criminal Investigative Service
AUTH: DERIVED FROM ARTICLE 136,
UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

(b)(3):10
USC
§130b (b)(

1098

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

19JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/(b)(3):10 USC /CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA

RESULT OF INTERVIEW (b)(3):10 USC
§130b.(b)(6).(b)(7)(C)

1. On 19Jun06, Reporting Agent (RA) interviewed (b)(3):10 USC (b)(3):10 USC USN, at the NCISRA Guantanamo Bay, Cuba office. (b)(3):10 USC works in escorts in the detention camp. The purpose of the interview was to obtain information regarding his action on 10Jun06, the night three detainees were found hanging in their cells in Alpha Block of Camp 1.

2. (b)(3):10 USC stated he reported for duty on 09Jun06 at (b)(2) (b)(3):10 USC partner that night was (b)(3):10 USC USN. His shift was relatively normal until approximately (b)(2) on 10Jun06. Around this time, escort control told the escorts on duty there was a possible (b)(2) in Alpha Block. Snowball is a codeword guards use for a detainee who has caused self harm. (b)(3):10 USC stated one team left escort control to assist Alpha Block. §130b.(b)(6).(b)(7)(C) was not sure of the name of individuals in the first team. A few minutes later, a second team consisting of (b)(3):10 USC and another subject, left the escort center to assist in Alpha Block. (b)(3):10 USC stood by in the escort center. A few minutes after, someone from Camp 1 came into the escort center and said, "We need everyone in the camps to help in Alpha Block." (b)(3):10 USC grabbed some shackles and left with (b)(3):10 USC. > NCIS b2

3. When (b)(3):10 USC arrived at (b)(2) Block, the gates were opened. This was unusual and indicated to (b)(3):10 USC that something was extremely wrong. When (b)(3):10 USC entered (b)(2) Block of Camp (b), both he and (b)(3):10 USC stopped at cell (b)(2) because he saw other gathered around the cell. (b)(3):10 USC said he noticed the detainee lying on the deck. He believes the ISN (Identification Serial Number) of the detainee was 693. About the time he arrived, a backboard was brought into the cell. The guards inside strapped the detainee onto the board while (b)(3):10 USC stood outside the cell. After the detainee was strapped down, (b)(3):10 USC and MASN (b)(3):10 USC grabbed the backboard by the head and the group took the detainee to medical.

4. When (b)(3):10 USC and the rest of the group arrived at medical center, they were told to put the detainee on the left room. After the detainee was put onto a bed in the room, (b)(3):10 USC stated the corpsman began coming into the room and began giving medical attention. The corpsmen performed CPR on the detainee for a good amount of time and began getting tired. A female officer asked if anyone in the room was qualified in CPR. (b)(3):10 USC stated he was qualified. At that time, (b)(3):10 USC was instructed to take over the oxygen bag. (b)(3):10 USC continued giving the detainee oxygen until other corpsman brought in a big oxygen bag to assist. (b)(3):10 USC was unsure of the exact time, but ISN: 588 eventually brought into the clinic on

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Page 1

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AUTHORIZATION FROM THE NCIS

1099

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

a backboard. A few minutes later, a Colonel came into the room and told (b)(3):10 for his group to stay with the body. (b)(3):10 USC group consisted of (b)(3):10 USC. The group was instructed that anywhere the detainees went, the group was to follow. (b)(3):10 stayed posted outside the door on ISN: 693 while (b)(3):10 USC was posted on the door of ISN: 588. (b)(3):10 stated medial personnel continued to give medical attention to ISN: 693 until he was pronounced dead at 0116.

5. After the detainees were pronounced dead, (b)(3):10 knew the medical clinic was now a crime scene. (b)(3):10 USC §130b, (b)(6), (b)(7)(C) GREEN made sure whatever items came with the detainee's bodies, (b)(3):1 with the bodies in the room. The only exception was all heavy medical equipment was taken out in case it was need for other victims. All hoses and other smaller medical equipment stayed with the bodies. (b)(3):10 stated he and (b)(3):1 stayed with the two bodies until they were relieved at (b)(2) on 10June06.

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

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(b)(7)
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NCIS

1102

300

STATEMENT

PLACE: Guantanamo Bay, Cuba

DATE: 19JUN06

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

make this free and voluntary statement to (b)(3):10 USC whom I know to be a Representative of the United States Naval Criminal Investigative Service. I make this statement of my own free will and without any threats made to me or promises extended. I fully understand that this statement is given concerning my knowledge of the deaths of three detainees found hanged on 10JUN06 inside Alpha Block, Camp 1 aboard the Joint Task Force Guantanamo Bay, Cuba. (b)(3):10 USC

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

(b)(3):10 USC

I arrived at the Guantanamo Detainee Clinic at 0203 hrs after (b)(3):10 USC contacted me at my residence via telephone instructing me to do so. (b)(3):10 USC §130b,(b)(6),(b)(7)(C) could not provide me details regarding the reasons for my recall over the phone. When I reported to my office, (b)(3):10 USC §130b,(b)(6),(b)(7)(C) the Executive Officer instructed me to take charge of the two bodies located at the Detainee Clinic. When I arrived, ISN-588 and ISN-693 had already been pronounced dead and were located in room ten (10). Three guards had already secured room ten (10) and were standing guard. Their badge numbers are (b)(2). I opened the door and confirmed that I did in fact have two dead bodies in room ten (10). I then inquired the medical staff if the deceased detainees were treated in any other room, other than room ten (10) in the Detainee Clinic. I was informed they had treated detainees in room eleven and the examination room. After the medical staff cleaned the rooms used to treat the deceased detainees, I instructed (b)(3):10 USC to maintain a log of all personnel who entered room ten (10). The following personnel entered room ten (10), (b)(3):10 USC entered at 0220 hrs, (b)(3):10 USC entered at 0223 hrs, (b)(3):10 USC, the cultural advisor entered at 0300 and departed at 0301 hrs, 0318 hrs four (4) unidentified NCIS and CTF Special Agents including Special Agent (b)(3):10 USC. A combat cameraman entered room ten (1) at 0318 hrs. NCIS processed the scene behind closed doors. Subsequent to their departure, Guards (b)(3):10 USC and (b)(3):10 USC §130b,(b)(6),(b)(7)(C) and I escorted the two aforementioned detainees to the morgue. I coordinated with (b)(3):10 USC §130b,(b)(6),(b)(7)(C) for the admitting the detainees to the morgue. (b)(3):10 USC §130b,(b)(6),(b)(7)(C) assumed our watch of the two detainees at approximately 0545 hrs. (b)(3):10 USC

Continuation of Voluntary Sworn Statement of
(b)(3):10 USC
§130b, (b)(6), (b)(7)(C)
On 19 JUN 06

(b)(3):
19 This statement, consisting of this page and one other page was typed for me by Special Agent (b)(3):10 USC as we discussed its contents. I have read and understand the above statement. I have been given the opportunity to make any changes or corrections I desire to make and have placed my initials over the changes or corrections. This statement is the truth to the best of my knowledge and belief. (b)(3):

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

Sworn to and subscribed before me this 19TH day of JUNE in the year 2006
at GUANTANAMO BAY, CUBA

(b)(7)(C)

Witness

Investigative Service

UCMJ (10 U.S.C. 936) AND 5 U.S.C. 303

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

16JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV (DECEASED)
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF INTERVIEW OF (b)(3):10 USC
§130b,(b)(6),(b)(7)(C)

1. In the early morning hours of 10JUN06, three detainees were found hanging inside Alpha Block of Camp 1 at Camp Delta, Joint Task Force Guantanamo Bay, Cuba. Reporting Agent (RA) interviewed (b)(3):10 USC (b)(3):10 USC at Naval Hospital Guantanamo Bay, Cuba (NAVHOSP GTMO), regarding his response to Camp Delta and his treatment of V/AL ZAHRANI at the Detention (DET) Clinic, in the Ambulance on the way to NAVHOSP GTMO and at NAVHOSP GTMO during the early morning hours of 10Jun06.
2. For background (b)(3):10 USC §130b,(b)(6),(b)(7)(C) is an Emergency Medical Technician (EMT) who was on duty on 09Jun06, at (b)(2) until 10Jun06, at (b)(2) (b)(3):10 USC advised he and (b)(3):10 USC were dispatched to Camp Delta DET Clinic on 10Jun06, at 0055, after the Emergency Room (ER) received a call for an unresponsive, no pulse patient at the DET Clinic. The patient was later identified as V/AL ZAHRANI.
3. (b)(3):10 USC §130b,(b)(6),(b)(7)(C) advised (b)(3):10 USC drove while he was getting equipment ready in the rear of the ambulance. (b)(3):10 USC indicated they arrived at the DET Clinic at approximately 0100, 10Jun06 and both went inside the clinic. Once inside (b)(3):10 USC observed a nurse and corpsman performing Cardio Pulmonary Resuscitation (CPR) (b)(3):10 USC checked and found no radial pulse. He reinstated CPR. §130b,(b)(6),(b)(7)(C) indicated he was taking care of the airway and (b)(3):10 USC was performing the chest compressions. HM3 (b)(3):10 stated the Automatic External Defibrillator (AED) indicated no shock was advised. (b)(3):10 USC tried unsuccessfully to get an airway for the patient. §130b,(b)(6),(b)(7)(C), (b)(3):10 USC and others carried the patient down to the ambulance. While carrying the patient out of the DET Clinic, (b)(3):10 USC advised during transport they noticed material around the neck of the patient and cut it away. After they cut the material away (b)(3):10 reported it appeared that they had a tacky rhythm on their equipment for V/AL ZAHRANI. (b)(3):10 USC explained they continued to perform CPR on the trip from the DET Clinic to the NAVHOSP GTMO. (b)(3):10 advised it appeared as if some color returned to the patient after the material was removed from the patient's neck. (b)(3):10 USC reported when they were about two minutes from the hospital the patient began expelling blood from his nose and mouth.

Upon arrival at the NAVHOSP, (b)(3):10 USC stated he and (b)(3):10 USC took the patient in through the ER and directly up stairs to the Detainee Acute Care Unit (DACU). (b)(3):10 advised medical personnel continued to perform CPR on the patient until he was pronounced dead, at 0150. The Ambulance Report is appended as Enclosure (A).

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1103

10JUN06-MPGT-0031-7HN7

SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV (DECEASED)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

ENCLOSURE(S)

(A) Ambulance Report for V/AL ZAHRANI/10Jun06

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)



OFFICE: NCISRU Guantanamo Bay, Cuba

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LAST

(b)(7)(C) V2 LNY

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withheld entirely at this location. One or more of the following explain this decision:

Pages contain information furnished by other government agency(ies). We will advise you of releasability of information following consultation with agency(ies).

Comments: Referred to Bureau
of Medicine and Surgery

NCIS

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

15JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV (DECEASED)
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF INTERVIEW OF (b)(3):10 USC

(b)(3):10 USC

1. In the early morning hours of 10JUN06, three detainees were found hanging inside Alpha Block of Camp 1 at Camp Delta, Joint Task Force Guantanamo Bay, Cuba. Reporting Agent (RA) interviewed (b)(3):10 USC, at Naval Hospital Guantanamo Bay, Cuba (NAVHOSP GTMO), regarding his response to Camp Delta and his treatment of V/AL ZAHRANI at the Detention (DET) Clinic, in the Ambulance on the way to NAVHOSP GTMO and at NAVHOSP GTMO during the early morning hours of 10Jun06.
2. For background (b)(3):10 USC, is an Emergency Medical Technician (EMT) who was on duty on 09Jun06, at (b)(2) until 10Jun06, at (b)(2). (b)(3):10 USC advised he and (b)(3):10 USC responded to Camp Delta DET Clinic on 10Jun06, at 0053, after the Emergency Room (ER) received a call for an unresponsive, no pulse patient at the DET Clinic. The patient was later identified as V/AL ZAHRANI.
3. (b)(3):10 USC advised he drove the ambulance on the way out to Camp Delta. When he and (b)(3):10 USC arrived they went inside the DET Clinic. Once inside (b)(3):10 observed JTF-GTMO Medical and Security performing Cardio Pulmonary Resuscitation (CPR) and attempting to ventilate the patient. (b)(3):10 advised they pushed some ephedrine. (b)(3):10 observed the patient's eyes were wide open with a blank stare, his lips were purple as were his fingernails. Medical staff were trying to bag the patient. (b)(3):10 did not observe any doctors present at the Clinic upon his arrival. (b)(3):10 USC got help and loaded the patient into the ambulance for transport to NAVHOSP GTMO. Someone from JTF-GTMO drove the ambulance to the hospital while both (b)(3):10 USC along with a JTF-GTMO member rode in the back working on the patient. During the drive back to NAVHOSP GTMO (b)(3):10 noticed what appeared to be t-shirt material wrapped around the neck at least 3-4 times about 3/4 of an inch wide. There was a knot or bundle on the right side of V/AL ZAHRANI's neck. (b)(3):10 advised they cut the material and pulled it apart. He pulled loose the most taught strand. (b)(3):10 USC stated when they arrived at the hospital at approximately 0115, they took the patient in through the ER and directly up stairs to the Detainee Acute Care Unit (DACU). (b)(3):10 explained CPR was performed on the patient from before their arrival at the DET Clinic until he was pronounced dead. (b)(3):10 reported they attempted to intubate the patient with no success. They put leads on the patient, from the difibulator, but no shock was advised. (b)(3):10 indicated there was very little rhythm on the Electrocardiogram (EKG). Both (b)(3):1 and (b)(3):10 remained at the DACU until V/AL ZAHRANI was pronounced dead at 0130. The Ambulance Report is appended as Enclosure (A).

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NCIS

1108

10JUN06-MPGT-0031-7HNA

SUBJ: V/AL ZAHRANI, PASSER TALAL/CIV (DECEASED)

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

ENCLOSURE(S)

(A) Ambulance Report for V/AL ZAHRANI/10Jun06

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)



NCIS Guantanamo Bay, Cuba

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1109

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

15JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV (DECEASED)
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF INTERVIEW OF (b)(3):10 USC
§130b,(b)(6),(b)(7)(C)

NARRATIVE

1. In the early morning hours of 10JUN06, three detainees were found hanging inside Alpha Block of Camp 1 at Camp Delta, Joint Task Force Guantanamo Bay, Cuba. Reporting Agent (RA) interviewed (b)(3):10 USC §130b,(b)(6),(b)(7)(C) at Naval Hospital Guantanamo Bay, Cuba (NAVHOSP GTMO), regarding his part in the treatment of V/AL ZAHRANI at NAVHOSP GTMO during the early morning hours of 10Jun06, after he was transported to NAVHOSP GTMO by ambulance.
2. For background (b)(3):10 USC is a Family Practice Clinic doctor who was on duty in the Emergency Room at NAVHOSP GTMO when V/AL ZAHRANI was transported in to the Emergency Room.
3. (b)(3):10 USC indicated when V/AL ZAHRANI arrived, at approximately 0110, 10Jun06, to NAVHOSP GTMO and was taken immediately up to the Detainee Acute Care Unit (DACU), located on the 2nd floor. (b)(3):10 USC advised Cardio Pulmonary Resuscitation (CPR) was in progress when V/AL ZAHRANI arrived. (b)(3):10 USC reported medical staff continued to work on the patient for over 30 minutes. (b)(3):10 USC, Commanding Officer, NAVHOSP GTMO, pronounced V/AL ZAHRANI dead at 0150, 10Jun06. (b)(3):10 USC indicated he witnessed no signs of life from V/AL ZAHRANI from the time of arrival until he was pronounced dead. (b)(3):10 USC stated he observed what appeared to be a bloody t-shirt around the neck of V/AL ZAHRANI as well as a deep abrasion, narrow in width across the victim's neck. Upon examination, the eyes were bloodshot and skin modeling had begun. (b)(3):10 USC provided a copy of the Advanced Cardiac Life Support Flow Sheet and Medical Record Progress Notes, Enclosures (A) and (B).

ENCLOSURE(S)

- (A) Advanced Cardiac Life Support Flow Sheet/10Jun06
- (B) Medical Record Progress Notes/06Jun06

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

NCISRU Guantanamo Bay, Cuba

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: V/AL ZAHRANI, YASSER TALAL/CIV
CCN: 10JUN06-MPGT-0031-7HNA

INVESTIGATIVE ACTION: INFORMATION REGARDING VICTIMS' TIME OF DEATH

1. On 16JUN06, reporting agent (RA) contacted medical officials to determine the time of death of the three victims. Specifically, for each victim, RA determined the time at which the victim was pronounced dead. The three victims, all of whom reportedly committed suicide by hanging, were detainees at Camp Delta, Guantanamo Bay, Cuba. Their names and Internment Serial Numbers (ISN's) were as follows: V/AL ZAHRANI, YASSER TALAL/CIV, ISN 93; V/AL TABI, MANA SHAMAN ALLABARD/CIV, ISN 588; and V/AHMED, ALI ABDULLA H/CIV, ISN 693. Information on the time of death for each victim is provided below.

2. ISN 93: To determine the time of ISN 93's death, RA contacted (b)(3):10 USC §130b(b)(6),(b)(7)(C), Commanding Officer, Naval Hospital (NAVHOSP), Guantanamo Bay. RA met with (b)(3):10 USC §130b(b)(6),(b)(7)(C) at his office at NAVHOSP. RA identified himself by name and display of credentials. RA asked (b)(3):10 USC §130b(b)(6),(b)(7)(C) if he had a written record to confirm the date and time at which ISN 93 was pronounced dead. (b)(3):10 USC §130b(b)(6),(b)(7)(C) escorted RA to the office of (b)(3):10 USC §130b(b)(6),(b)(7)(C), the medical records administrator for NAVHOSP. With (b)(3):10 USC §130b(b)(6),(b)(7)(C) help (b)(3):10 USC §130b(b)(6),(b)(7)(C) retrieved ISN 93's outpatient medical record. Review of this record revealed that ISN 93 was pronounced dead on 10JUN06 at 0150. This pronouncement was made at NAVHOSP. The record reviewed at this time did not list the name of the doctor who made this pronouncement. For further information, (b)(3):10 USC §130b(b)(6),(b)(7)(C) advised she can be contacted at her office phone number, X72026.

3. ISN 588: To determine the time of ISN 588's death, RA met with (b)(3):10 USC §130b(b)(6),(b)(7)(C), Division Officer and Nurse, at the Detention (Det) Clinic, Camp Delta, Guantanamo Bay. RA identified himself by name and display of credentials. (b)(3):10 USC §130b(b)(6),(b)(7)(C) consulted his online medical records. Review of these records revealed that ISN 588 was pronounced dead on 10JUN06 at 0115. This pronouncement was made by the Senior Medical Officer (SMO), (b)(3):10 USC §130b(b)(6),(b)(7)(C) at the Det Clinic. (b)(3):10 USC §130b(b)(6),(b)(7)(C) contacted (b)(3):10 USC §130b(b)(6),(b)(7)(C) by phone, who confirmed this information.

4. ISN 693: To determine the time of ISN 693's death, RA again consulted (b)(3):10 USC §130b(b)(6),(b)(7)(C) supra. (b)(3):10 USC §130b(b)(6),(b)(7)(C) advised that ISN 693 was pronounced dead on 10JUN06 at 0115. This is the same as the time of death of ISN 588. (b)(3):10 USC §130b(b)(6),(b)(7)(C) U.S. Army, made this pronouncement. (b)(3):10 USC §130b(b)(6),(b)(7)(C) online records listed the time as 0116; however, this was corrected to 0115 based upon (b)(3):10 USC §130b(b)(6),(b)(7)(C) telephonic contact with (b)(3):10 USC §130b(b)(6),(b)(7)(C). (b)(3):10 USC §130b(b)(6),(b)(7)(C) advised that he and (b)(3):10 USC §130b(b)(6),(b)(7)(C) may be contacted at any time for further information. The phone number for the Det Clinic is X3261.

Reported By: (b)(7)(C) Special Agent
Office: NCISFO Washington, DC

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

16JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA

INTERVIEW OF (b)(6)

1. On 10JUN06, (b)(6), Internment Serial Number (ISN) (b)(2), was interviewed by Reporting Agent and Participant Lesane at the Camp Delta Detention Facility regarding his knowledge of the death of three fellow detainees. (b)(3):10 USC a contract Linguist with L3 Corporation, assisted with the Arabic translation.

2. As background, on 09JUN06, three detainees in Cell Block Alpha, Camp (b) were found hanging by ropes that had been woven from torn strips of their sheets. All three died as a result. The hangings are believed to have occurred during the late evening of 9JUN06 and were discovered at approximately 0030, 10JUN06. (b)(6) is in Cell A-14 with an empty cell being between him and that of Cell A12, which was occupied by ISN 0588, one of the hanging victims.

3. (b)(6) stated that on the evening of 9JUN06, he took his medications sometime between 1900-2000. This information is supported by an entry into the Joint Detainee Information Management System (JDIMS). He participated in evening prayer at approximately 2100 and went to sleep after evening prayer. (b)(6) claimed that everything in the cell block was normal and he had no idea that his brothers were planning on harming themselves. (b)(6) claimed that he had no knowledge of the planned incidents and he would have reported the information to the guards if he had prior knowledge. (b)(6) said that he went to sleep after evening prayers at 2100 and he did not wake up until the guards woke him up at 0400.

(b)(3):10 USC §130b, (b)(6), (b)(7)(C)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

TITLE: V/AHMED, ALI ABDULLA H/CIV
CCN: 10JUM06-MPGT-0033-7HNA

INVESTIGATIVE ACTION: INTERVIEW OF DETAINEE (b)(2)

NARRATIVE

On 10Jun06, Reporting Agent (RA) and Participating Agent (PA) interviewed detainee (b)(3):10 USC Internment Serial Number (ISN) (b)(2) at Camp Delta Detention Facility, Guantanamo Bay, Cuba (GTMO). The interview was conducted in Arabic and translated by (b)(3):10 USC, a civilian contractor of the L3 Corporation. This interview was conducted to ascertain if ISN (b)(2) had prior knowledge that the suicides were going to occur.

As background, on 10Jun05, 0039 hours, three detainees being held at Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO) were found by Joint Detention Group (JDG) personnel hanging by their necks. Their bodies were discovered within Camp Delta, Camp One, Cell Block Alpha, Cell Five, Eight, and Twelve.

ISN (b)(2) related on 10Jun06, at approximately 0030, he was awakened by the sounds of the soldiers running down the cellblock. ISN (b)(2) stated he didn't see anything because his cell wasn't near the detainees that committed suicide. ISN (b)(2) stated he later heard from other detainees that three people committed suicide. ISN (b)(2) stated he has never contemplated suicide. ISN (b)(2) further related if he ever got to the point of desperation, he would commit suicide.

ISN (b)(2) stated he had no prior knowledge that anyone wanted to harm themselves. ISN (b)(2) stated he doesn't know of anyone that could order these suicides. ISN (b)(2) related he has only been on the cellblock for three weeks and he doesn't really know the other detainees. ISN (b)(2) related one of the detainees that committed suicide just recently ended their hunger strike.

ISN (b)(2) stated the detainee in cell (b)(2) was causing a lot of disturbances on the cellblock. ISN (b)(2) related (b)(2) constantly harasses the other prisoners and he does not allow them to pray in peace. ISN (b)(2) related if they would move him it would solve the problem immediately. ISN (b)(2) related he feels they are being punished and they should be separated from the troublemaker in (b)(2).

PARTICIPANT(S)

(b)(7)(C) Special Agent, NCISRU Guantanamo Bay, Cuba

Reported By: (b)(7)(C) SPECIAL AGENT
Office: NCISRU GUANTANAMO BAY, CUBA

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

10JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

INTERVIEW OF DETAINEE ISN- (b)(2)

Please note the original transmission(s) of this IA contained errors in the "Header" portion. Any previous transmissions of this IA should be destroyed. This transmission supercedes all others and contains revised "Header" information.

NARRATIVE

On 10Jun06, Reporting Agent (RA) and Participating Agent (PA) interviewed detainee (b)(6) Internment Serial Number (ISN)-(b)(2), at Camp Delta Detention Facility, Guantanamo Bay, Cuba (GTMO). The interview was conducted in Arabic and translated by Linguist (b)(3):10 USC a civilian contractor of the L3 Corporation. This interview was conducted to ascertain if ISN-(b)(1) had prior knowledge that the suicides were going to occur.

As background, on 10Jun05, 0039 hours, three detainees being held at Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO) were found by Joint Detention Group (JDG) personnel hanging by their necks. Their bodies were discovered within Camp Delta, Camp One, Cell Block Alpha, Cell Five, Eight, and Twelve.

PA asked ISN-(b)(1) did he have prior knowledge that the suicides were going to take place. ISN-(b)(2) stated he knew ISN-093 and he was surprised that he would harm himself. ISN-(b)(2) related none of the detainees had prior knowledge that anyone wanted to hurt themselves. PA asked ISN-(b)(2) did he hear or witness anything that night. ISN-(b)(1) related his cell was too far away to see anything.

ISN-(b)(2) began to ask PA the names and the amount of detainees that committed suicide. PA informed ISN-(b)(1) that he could not provide that information. ISN-(b)(2) related he would not answer any more questions if PA would not answer his questions regarding the detainees. The interview was concluded at that time.

PARTICIPANT(S)

(b)(7)(C) Special Agent, NCISRU Guantanamo Bay, Cuba

REPORTED BY: (b)(7)(C) SPECIAL AGENT
OFFICE: NCISRU GUANTANAMO BAY, CUBA

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

10JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

INTERVIEW OF DETAINEE ISN-(b)(2)

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NARRATIVE

On 10Jun06, Reporting Agent (RA) and Participating Agent (PA) interviewed detainee (b)(3):10 USC Internment Serial Number (ISN) (b)(2) at Camp Delta Detention Facility, Guantanamo Bay, Cuba (GTMO). The interview was conducted in Arabic and translated by linguist (b)(3): (b)(3):10 a civilian contractor of the L3 Corporation. This interview was conducted to ascertain if ISN-(b)(2) had prior knowledge that the suicides were going to occur.

As background, on 10Jun05, 0039 hours, three detainees being held at Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO) were found by Joint Detention Group (JDG) personnel hanging by their necks. Their bodies were discovered within Camp Delta, Camp One, Cell Block (b)(3):1 Cell Five, Eight, and Twelve.

ISN-(b)() related on 09Jun06 at 2100, they had Friday evening prayer like normal. ISN-(b)() related they sung for approximately 30-45 minutes after prayer. ISN-(b)() related everyone went to sleep after singing but he was unsure of the exact time. ISN-(b)(2) stated he was the last one to go to sleep that night.

ISN-(b)() related after midnight, the guards awakened him as they called out to (b)() ISN-(b)() related (b)() would not respond to the guards as they called out to him. ISN-(b)(2) related he heard one of the guards shout "he's hanging". ISN-(b)(8) related he was very surprised to hear that (b)() harmed himself. ISN-(b)() related all of this shouting began to cause the rest of the prisoner to wake up.

ISN-(b)(2) related he later heard the guards calling out to A12, but A12 did not respond. ISN-(b)() stated A12 had a blanket hanging up inside of his cell and the guards were unable to see him. ISN-(b)(2) related the guards had to go inside the cell to check on him. After the guards entered his cell, ISN-(b)(2) stated he overheard the guards say he hanged himself. ISN-(b)() stated he witness (b)(2) hanging from a white rope or white sheet. ISN-(b)() stated he saw the guards pull A12 down and check him for a pulse. ISN-(b)(2) stated he overheard one of the guards say that he was dead. ISN-() related he watched the guards place A12 on a board and take him away.

ISN stated A8 and A12 were only on the cellblock for a short while.

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SUBJ: V/AL ZAHRANI, YER TALAL/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

ISN-(b)(2) stated they just recently ended their hunger strike. ISN-(b)(2) related if he knew that his brothers were contemplating suicide, he would have warned the guards. ISN-(b)(2) related he loves life and he would never allow his brothers to harm themselves. ISN-(b)(2) stated he went to REC with A8 on 08Jun06. ISN-(b)(2) related (b)(2) seemed happy at the time and nobody knew this was going to happen. ISN-688 further related there was no leader on the block that could coordinate the suicides.

ISN-(b)(2) related he believes the detainees committed suicide because of the pressure. ISN-(b)(2) stated the guards swear and constantly harass them. ISN-(b)(2) stated they have held us here for four years and they haven't told us about our cases. ISN-(b)(2) related they couldn't tolerate this kind of psychological pressure. ISN-(b)(2) related the guards have taken all of their items and this is increasing the mental pressure. ISN-(b)(2) further stated this kind of pressure would even make a normal man think about suicide. The interview was concluded at that time.

PARTICIPANT(S)

(b)(7)(C) Special Agent, NCISRU Guantanamo Bay, Cuba

REPORTED BY: (b)(7)(C) SPECIAL AGENT
OFFICE: NCISRU GUANTANAMO BAY, CUBA

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

10JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

INTERVIEW OF DETAINEE ISN-(b)(2)

Please note the original transmission(s) of this IA contained errors in the "Header" portion. Any previous transmissions of this IA should be destroyed. This transmission supercedes all others and contains revised "Header" information.

NARRATIVE

On 10Jun06, Reporting Agent (RA) and Participating Agent (PA) interviewed detainee (b)(7)(C) Internment Serial Number (ISN)-(b)(), at Camp Delta Detention Facility, Guantanamo Bay, Cuba (GTMO). The interview was conducted in Arabic and translated by linguist (b)(3):10 USC a civilian contractor of the L3 Corporation. This interview was conducted to ascertain if ISN-(b)() had prior knowledge that the suicides were going to occur.

As background, on 10Jun05, 0039 hours, three detainees being held at Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO) were found by Joint Detention Group (JDG) personnel hanging by their necks. Their bodies were discovered within Camp Delta, Camp One, Cell Block Alpha, Cell Five, Eight, and Twelve.

ISN-(b)(2) related on 10Jun06, at approximately 1220, he was awakened by the sounds of the guards shouting. ISN-(b)() related the guards later began removing the detainees from the cellblock. ISN-(b)(2) related he later learned that three detainees hung themselves.

ISN-(b)(2) stated he had no prior knowledge that anyone wanted to harm themselves. ISN-(b)(2) related he was very surprised that (b)() would try to harm himself. ISN-(b)() related on 09Jun06 at approximately 1800, he spoke to (b)(2) ISN-(2) further related (b)(2) promised he would attend REC with him on 10Jun06.

ISN-(b)() related A12 just recently ended his hunger strike. ISN-(b)(2) stated A12 was very pleasant and he gave no indication he wanted to harm himself. ISN-(b)(2) related he tries to encourage all of the detainees to end their hunger strikes. ISN-(b)() had no further information to provide.

PARTICIPANT(S)

(b)(7)(C) Special Agent, NCISRU Guantanamo Bay, Cuba

REPORTED BY: (b)(7)(C) SPECIAL AGENT
OFFICE: NCISRU GUANTANAMO BAY, CUBA

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

10JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

INTERVIEW OF DETAINEE ISN-(b)(2)

Please note the original transmission(s) of this IA contained errors in the "Header" portion. Any previous transmissions of this IA should be destroyed. This transmission supercedes all others and contains revised "Header" information.

NARRATIVE

On 10Jun06, Reporting Agent (RA) interviewed detainee (b)(6) Internment Serial Number (ISN)-(b)(2), at Camp Delta Detention Facility, Guantanamo Bay, Cuba (GTMO). The interview was conducted in Arabic and translated by linguist (b)(2) a civilian contractor of the (b)(3):10 USC. This interview was conducted to ascertain if ISN-(b)(2) had prior knowledge that the suicides were going to occur.

As background, on 10Jun05, 0039 hours, three detainees being held at Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO) were found by Joint Detention Group (JDG) personnel hanging by their necks. Their bodies were discovered within Camp Delta, Camp One, Cell Block Alpha, Cell Five, Eight, and Twelve.

RA asked ISN-(b)(2) did he have prior knowledge that the suicides were going to take place. ISN-(b)(2) denied having prior knowledge of the suicides. RA asked ISN-(b)(2) why did he approach a guard and inquire about the number of detainee deaths. ISN-(b)(2) stated he heard about it and more death was coming very soon. ISN-(b)(2) stated forty brothers have made a commitment to die and you will see how strong our commitment is when you are doing our autopsies. RA asked ISN-(b)(2) 56 which forty brothers have made this pact. ISN-(b)(2) stated you would see once we all die. ISN-(b)(2) further stated you have stopped us from dying by force-feeding us, so we are trying new things.

RA asked ISN-(b)(2) why did he want to harm himself. ISN-(b)(2) related the United States Government has made promises to us but it has failed to keep its word. ISN-(b)(2) stated your administration has abused the Koran, beaten us, and you have not allowed us to take baths. ISN-(b)(2) further related he has nothing to live for and he expects to be dead very soon. RA asked ISN-(b)(2) how does he and other detainees plan to commit suicide. ISN-(b)(2) stated he did not wish to answer any more questions. RA asked ISN-(b)(2) the question again and he would not answer. The interview was concluded at that time.

REPORTED BY: (b)(7)(C) SPECIAL AGENT

OFFICE: NCISRU GUANTANAMO BAY, CUBA

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

17JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIVILIAN
M/W/FNSA/N//26DEC83/SAUDI ARABIA

RECEIPT OF CITF FORM 40 TITLED "PRELIMINARY EXAMINATION OF ISN 588'S BODY"

1. (U) On 16JUN06, Reporting Agent received the Criminal Investigation Task Force (CITF) Report of Investigative Activity, otherwise known as a "Form 40." The report was authored by Duane DALY, Special Agent, NCIS, who is currently assigned to the CITF, Guantanamo Bay, Cuba. The report is titled "Preliminary Examination of ISN 588's Body" and includes 31 enclosures. As documented in the report, the following evidence was seized and subsequently entered into the NCISRU Guantanamo Bay evidence custody system under log #010-06.

Item	Description
A	Three strips of cloth, white in color
B	Biological matter seized from chin area
C	Biological matter seized from right thumb
D	One 8½ x 11 sheet of paper with Arabic writing

2. (U) A photocopy of Log #010-06, Item D is attached as one of the enclosures of the CITF report, with the translation included in the body of the report.

ENCLOSURE

(A) CITF Report of Investigative Activity (Form 40) (S)

REPORTED BY: (b)(7)(C) Special Agent
OFFICE: NCISHQ Washington, DC

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(b)(7)(C)

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INVESTIGATIVE ACTION

16JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA

TRANSLATION OF POSSIBLE SUICIDE NOTES

1. On 10JUN06, detainees ISN 093, 588 and 693 were found hanging in their cells by ropes that had been woven from strips of their sheets. All three died as a result. The deaths occurred in cells A-5, A-8 and A-12 located in Alpha Block, Camp 1, Camp Delta Detention Facility, Guantanamo Bay, Cuba. Suspected suicide notes were located in each of their shirt pockets. Enclosure (A) is a copy of the suicide note found on ISN 93, Enclosure (B) was found on ISN 588 and Enclosure (C) was found on ISN 693. (b)(3):10 USC, Cultural Adviser to the Commander, Joint Task Force, Guantanamo Bay, Cuba provided the following preliminary translation of the notes:

Enclosure (A) - "I turned in my Quran not insult..Now I'm turning in my body & sacred area so you not insult it"

Enclosure (B) - "I left out of the cage despite of you. You are going to finish me for this? Put me in Oscar Block forever"

Enclosure (C) - "I did not like the tube in my mouth, now go ahead now accept the rope in my neck"

2. On 15JUN06, (b)(3):10 USC USMC and (b)(3):10 USC L Corporation provided addition translation assistance. Their translation of Enclosures (A)-(C) are as follows:

Enclosure (A) - "I gave the Koran so they won't violate it. here I am giving my body...so they don't violate or shame it..."

Enclosure (B) - "I got out of the cages whether you like it or not. Punishment for my action ...They put me in Oscar isolation rooms forever"

Enclosure (C) - "You did not except the tube on my nose!!! So except the rope on my neck???... "

Enclosure(s)

(A) Note of ISN 093

(B) Note of ISN 588

(C) Note of ISN 693

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INVESTIGATIVE ACTION

17JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF CELL A-8 DEATH SCENE EXAMINATION

1. On 10Jun05, 0039 hours V/AL ZAHRANI, a detainee being held at Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO) was found by Joint Detention Group (JDG) personnel hanging by the neck. The body was discovered within Camp Delta, Camp One, Cell Block Alpha, cell eight. Shortly thereafter the discovery of two additional bodies were discovered within Cell Block Alpha. V/AL TABI was found hanging in cell twelve and the third body of V/AHMED was discovered hanging in cell five.

2. At request of NCIS GTMO, the Southeast Field Office Major Case Response Team (MCRT) consisting of Reporting Agent (RA), Participating Agent (PA) (b)(7)(C) and Supervisory Special Agent (SSA) (b)(7)(C) proceeded from Jacksonville, FL, to GTMO to assist in processing the death scenes.

3. The MCRT arrived at Camp Delta on 10Jun06, at approximately 1530 hours. The Camp One, Cell Block Alpha was found to be secured by lock/seal and under guard by Joint Detention Group (JDG) personnel. The JDG personnel guarding the scene maintained an access log appended as Enclosure (A). For location of Cell Block Alpha see Camp One diagram appended as enclosure (B). MCRT team members conducted an initial walk through of the main passageway of Cell Block Alpha without entering any of the individual cells. Initial observations of the facility were that the building was a rectangular structure containing forty-eight, individual one-man cells, built of steel. The building is elevated from the gravel-covered ground approximately five feet with plumbing exposed beneath the building. The roof is fabricated from corrugated steel and equipped with ventilation ducting. The floor was observed to be diamond plate steel and the cell walls made of steel mesh. The mesh is approximately 1" X 2" in diameter. Each cell was equipped with a stainless steel floor mounted toilet and stainless steel sink. A window, equipped with steel shutters, was located on the exterior wall of each cell. The cell doors were secured by a (b)(2) keyed alike in order for a master key to open all of the locks. Lighting was provided by ambient light or florescent tube type lights affixed to the ceiling in the main corridor. All metal surfaces of the building appeared to be covered in paint. No surveillance cameras were observed inside of the cell block, however, a surveillance camera was observed outside covering the West end of the building. It was determined that the (b)(2)

PA (b)(7)(C) prepared a diagram of the overall building, appended as Enclosure (C). It was determined, prior to any further investigative action, photographic coverage of the scenes was necessary. A request

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SUBJ: V/AL ZAHARANI, YASSER TALAL/CIV

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was made via JDG for a duty Combat Camera Photographer to respond to the scene to assist in photographic coverage.

4. On 10Jun06 at 1730 hours, Combat Camera Photographer, (b)(3):10 USC (b)(3):10 USC, USN, arrived at Cell Block Alpha to assist the MCRT. Prior to re-entering the scene an ambient air temperature reading of 95 degrees was recorded by SSA (b)(7)(C) outside of the cell block. At the direction of RA, (b)(3):10 USC photographed the exterior of Cell Block Alpha.

5. At approximately 1755 hours, the MCRT was prepared to re-enter Cell Block Alpha. Prior to entering the scene (b)(3):10 USC and MCRT team members donned blood-borne pathogen suites. Upon entry SSA (b)(7)(C) recorded an interior ambient air temperature of 90 degrees with all ventilation fans running. At direction of PA (b)(7)(C) (b)(3):10 began to photograph the interior of the cell block. (b)(7)(C) observed the cells where the victims were found were secured with padlocks, crime scene tape and olive drab electrical tape.

6. At approximately 1825 hours, (b)(3):10 USC entered cell eight previously occupied by V/AL ZAHARANI, to conduct photographic coverage. Previously, PA (b)(7)(C) noted the following observations of cell eight. Immediately inside the door to the cell on the floor were two Styrofoam cups. Under the bunk in the northwest corner of the cell a thick green mattress had been bent to 90 degrees and was standing up in the corner. On the floor beside the bunk lay a blue in color blanket and one flip-flop. On the bunk were clothes, a roll of toilet paper, a water bottle, three Styrofoam cups, several towels and one flip-flop, all of which were on top of a olive drab in color camping type sleep mat. To the west of the window on the south wall were a wash cloth and toiletries. A blue blanket was tied from the top of the steel mesh of the eastern most window to the steel mesh of the east wall just north of the center post. The manner in which the blanket was suspended effectively precluded a person standing outside the cell from observing the southeast corner of the cell. During the evidence collection phase of processing the cell the blanket was removed and PA (b)(3):1 observed the portion of the scene, which had previously been obscured by the blanket. Three white sheets were tied to southern half of the east wall. Two of the sheets completely overlapped each other and were hung from the wall/ceiling joint downward. Then at the bottom of the wall a third sheet was folded into a triangle and hung with the base up towards the wall and the apex down towards the floor. The sheets hanging down from the ceiling were tucked in behind the third sheet. A ligature made of braided white in color cloth was tied to the top of the east wall in roughly the center of the aforementioned white sheets and it was run down in between the inner and outer sheet and then threaded through a slot in the outer sheet so that the ligature was not visible from the common wall of the adjacent cell. A piece of white in color cloth was in the sink. A prayer rug and a pair of shorts were hanging in the eastern most window. It was noted during the seizure of the sheet and blanket which were hanging in the cell that the sheets and blanket were not fastened to the walls with actual tied knots but were secured to the walls by intricately and repeatedly weaving the

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SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

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corners of the sheets and blanket through the metal mesh. }
Overall and detailed photographs of the Cell Block Alpha and cell eight are provided in a Photographic Investigative Action, which is appended separately to this report.

7. PA (b)(7)(C) prepared a rough sketch of cell eight prior to the seizure of any evidence. The final sketch by PA (b)(7)(C) is appended as Enclosure (D).

8. From 2000 to 2100 hours, (b)(7)(C) processed/seized all contents of cell (b)(7)(C) as potential evidence. RA placed the items into NCIS evidence custody packaging. Prior to removing ligature or knots, close-up photographs of each knot were taken with a scale present in the image. The floor and bunk of Cell Eight was vacuumed for trace evidence and the filter placed into NCIS evidence custody.

9. The following items were seized from Cell Eight and placed into NCIS evidence custody under MPGT evidence log number: 014-06.

ITEM DESCRIPTION OF ARTICLE

- A Blue blanket hanging on wall
- B Ligature from wall
- C Paper bag containing three white sheets removed from wall
- D Cloth in sink
- E Orange/brown rug from wall
- F Blue blanket from floor
- G Items on bunk, clothes water bottles, and sandals
- H Sleeping mat from bunk
- I Green mattress pad from bunk
- J Short pants from wall
- K Paper bag containing two cups from floor
- L Wash cloth and soap from window sill
- M Trace evidence vacuum filter
- N Plastic box recovered from on top of cell
- O Torn paper and letter recovered from window sill

10. At 2330 hours, Cell Block Alpha was secured by lock and seal for the evening.

ENCLOSURES

- (A) JDG entry log/10Jun06
- (B) Diagram overall of Camp One/11Jun06
- (C) Diagram of Camp Alpha/11Jun06
- (D) Diagram of cell eight/11Jun06

PARTICIPATING AGENTS

(b)(7)(C)

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INVESTIGATIVE ACTION

17JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF CELL A-12 DEATH SCENE EXAMINATION

1. On 10Jun05, 0039 hours V/AL ZAHRANI, CCN: 10JUN06-MPMP-0031-7HNA, a detainee being held at Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO) was found by Joint Detention Group (JDG) personnel hanging by the neck. The body was discovered within Camp Delta, Camp One, Cell Block Alpha, Cell Eight. Shortly thereafter the discovery of two additional bodies were discovered within Cell Block Alpha. V/AL TABI was found hanging in Cell twelve and the third body of V/AHMED was discovered hanging in Cell Five.

2. At request of NCIS GTMO, the Southeast Field Office Major Case Response Team (MCRT) consisting of Reporting Agent (RA), Participating Agent (PA) (b)(7)(C) and Supervisory Special Agent (SSA) (b)(7)(C) proceeded from Jacksonville, FL, to GTMO to assist in processing the death scenes.

3. The MCRT arrived at Camp Delta on 10Jun06, at approximately 1530 hours. The Camp One, Cell Block Alpha was found to be secured by lock/seal and under guard by Joint Detention Group (JDG) personnel. The JDG personnel guarding the scene maintained an access log appended as Enclosure (A). For location of Cell Block Alpha see Camp One diagram appended as enclosure (B). MCRT team members conducted an initial walk through of the main passageway of Cell Block Alpha without entering any of the individual cells. Initial observations of the facility were the building was a rectangular structure containing forty eight, individual one-man cells, built of steel. The building is elevated from the gravel covered ground approximately five feet with plumbing exposed beneath the building. The roof is fabricated from corrugated steel and equipped with ventilation ducting. The floor was observed to be diamond plate steel and the cell walls made of steel mesh. The mesh was approximately 1" X 2" in diameter. Each cell was equipped with a stainless steel floor mounted toilet and stainless steel sink. A window, equipped with steel shutters, was located on the exterior wall of each cell. The cell doors were secured by a (b)(2) alike in order for a master key to open all of the locks. Lighting was provided by ambient light or florescent tube type lights affixed to the ceiling in the main corridor. All metal surfaces of the building appeared to be covered in paint. No surveillance cameras were observed inside of the cell block, however, a surveillance camera was observed outside covering the West end of the building. It was determined the (b)(2) PA ROGISH prepared a diagram of the overall building, appended as Enclosure (C). It was determined, prior to any further investigative action, photographic coverage of the scenes was necessary. A request

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was made via JDG for a duty Combat Camera Photographer to respond to the scene to assist in photographic coverage.

4. On 10Jun06 at 1730 hours, Combat Camera Photographer, (b)(3):10 USC (b)(3):10 USC USN, arrived at Cell Block Alpha to assist the MCRT. Prior to re-entering the scene an ambient air temperature reading of 95 degrees was recorded by (b)(7)(C) outside of the cell block. At the direction of RA, (b)(7)(C) photographed the exterior of Cell Block Alpha.

5. At approximately 1755 hours, the MCRT was prepared to re-enter Cell Block Alpha. Prior to entering the scene (b)(3):10 USC and MCRT team members donned blood-borne pathogen suites. Upon entry, SSA (b)(7)(C) recorded an interior ambient air temperature of 90 degrees with all ventilation fans running. At the direction of PA (b)(7)(C) (b)(7)(C) began to photograph the interior of the Cell Block. (b)(7)(C) observed the cells where the victims were found to be secured with padlocks, crime scene tape and olive drab electrical tape.

6. At approximately 1910 hours, (b)(3):10 USC §130b.(b)(6).(b)(7)(C) entered cell twelve previously occupied by V/AL TABI, to conduct photographic coverage. Previously, (b)(7)(C) noted the following observations of cell twelve. Two white in color sheets were tied by their corners to the wall in the southeast corner of the cell so that one sheet was over the other and both sheets were flat against the wall. A braided ligature, made with a white in color cloth, was tied to the metal mesh wall where it meets the ceiling. The ligature was then threaded through a slit made in the outer sheet so that the ligature could not be seen from the adjacent cell on that side. A blue in color blanket was tied to the mesh in the western most window at the top near the window frame and the bottom of the blanket was tied to the eastern wall, near the floor on the northern side of the center beam. A piece of the blue blanket was still tied to the east wall near the joint with the ceiling north of the center beam. A green in color rubber mattress was folded to 90 degrees and placed into the northwest corner of the cell on the floor under the bunk. A roll of toilet paper and two sheets of white in color 11 X 8 un-ruled paper were lying on the bunk. A Koran was suspended with a surgical mask and hung above the bunk on the west wall. Two towels were hanging in the eastern most window. On the floor, near the door, were several slices of bread, an apple, three unopened drink boxes, a bottle of water, and two Styrofoam cups. Also, a piece of a white in color sheet was in the sink and toilet paper was covering the waste chute opening in the toilet. Overall and detailed photographs of cell block alpha and cell twelve are provided in Photographic Investigative Action, which is appended separately to this report.

7. (b)(7)(C) prepared a rough sketch of cell twelve prior to the seizure of any evidence. The final sketch by (b)(7)(C) is appended as Enclosure (D).

8. From 2000 to 2100 hours, (b)(7)(C) processed/seized all contents of cell twelve as potential evidence. RA placed the items into NCIS evidence custody packaging. Prior to removing

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ligature or knots, close-up photographs of each knot were taken with a scale present in the image. The floor and bunk of Cell twelve was vacuumed for trace evidence and the filter placed into NCIS evidence custody.

9. The following items were seized from cell twelve and placed into NCIS evidence custody under MPGT evidence log number: 013-06.

ITEM	DESCRIPTION OF ARTICLE
A	Ligature
B	White cloth with knots from floor
C	Braided cloth from floor
D	Two pieces of white paper from bunk
E	Blue blanket from wall
F	Blue blanket knot from wall
G	Two white sheets from wall
H	Sleeping mat olive in color from floor
I	Food from floor, cups, juice box
J	Blue blanket from floor
K	Plastic box from above cell
L	Towel from sink
M	Towel from floor
N	Clothes to include torn t-shirt
O	Koran, surgical mask from wall
P	Toilet items
Q	Two towels from window
R	Toilet paper from bunk
S	Trace evidence filter from vacuum
T	Mattress from floor

10. At 2330 hours, Cell Block Alpha was secured by lock and seal for the evening.

ENCLOSURES

- (A) JDG entry log/10Jun06
- (B) Diagram overall of Camp One/12Jun06
- (C) Diagram of Camp Alpha/12Jun06
- (D) Diagram of Cell twelve/12Jun06

(b)(7)(C)

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INVESTIGATIVE ACTION

17JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF CELL A-5 DEATH SCENE EXAMINATION

1. On 10Jun06, 0039 hours V/AL ZAHRANI, CCN: 10JUN06-MPMP-0031-7HNA, a detainee being held at Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO) was found by Joint Detention Group (JDG) personnel hanging by the neck. The body was discovered within Camp Delta, Camp One, Cell Block Alpha, Cell Eight. Shortly thereafter, two additional bodies were discovered within Cell Block Alpha. V/AL TABI was found hanging in cell twelve and the third body of V/AHMED, was discovered hanging in cell five.
2. At request of NCIS GTMO, the Southeast Field Office Major Case Response Team (MCRT) consisting of Reporting Agent (RA), Participating Agent (PA) (b)(7)(C) and Supervisory Special Agent (SSA) (b)(7)(C) proceeded from Jacksonville, FL, to GTMO to assist in processing the death scenes.
3. The MCRT arrived at Camp Delta on 10Jun06, at approximately 1530 hours. The Camp One, Cell Block Alpha was found to be secured by lock/seal and under guard by Joint Detention Group (JDG) personnel. The JDG personnel guarding the scene maintained an access log appended as Enclosure (A). For location of Cell Block Alpha see Camp One diagram appended as Enclosure (B). MCRT team members conducted an initial walk through of the main passageway of Cell Block Alpha without entering any of the individual cells. Initial observations of the facility were that the building was a rectangular structure containing forty eight, individual one-man cells, built of steel. The building is elevated from the gravel covered ground approximately five feet with plumbing exposed beneath the building. The roof is fabricated from corrugated steel and equipped with ventilation ducts. The floor was observed to be diamond plate steel and the cell walls made of steel mesh. The mesh is approximately 1" X 2" in diameter. Each cell was equipped with a stainless steel floor mounted toilet and stainless steel sink. A window, equipped with steel shutters, was located on the exterior wall of each cell. The cell doors were secured by a (b)(2) alike in order for a master key to open all of the locks. Lighting was provided by ambient light or florescent tube type lights affixed to the ceiling in the main corridor. All metal surfaces of the building appeared to be covered in paint. No surveillance cameras were observed inside of the cell block, however, a surveillance camera was observed outside covering the West end of the building. It was determined the camera (b)(2) (b)(3):10 USC prepared a diagram of the overall building, appended as Enclosure (C). It was determined, prior to any further investigative action, photographic coverage of the scenes was necessary. A request was made via JDG for

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a duty Combat Camera Photographer to respond to the scene to assist in photographic coverage.

4. On 10Jun06 at 1730 hours, Combat Camera Photographer, (b)(3):10 USC (b)(3):10 USC USN, arrived at Cell Block Alpha to assist the MCRT. Prior to re-entering the scene an ambient air temperature reading of 95 degrees was recorded by SSA (b)(7)(C) outside of the cell block. At the direction of RA, (b)(3) (b)(6) (b)(7)(C) photographed the exterior of Cell Block Alpha.

5. At approximately 1755 hours, the MCRT was prepared to re-enter Cell Block Alpha. Prior to entering the scene (b)(3):10 and MCRT team members donned blood-borne pathogen suites. Upon entry SSA (b)(3):10 recorded an interior ambient air temperature of 90 degrees with all ventilation fans running. At direction of PA (b)(3):10 USC (b)(3):10 began to photograph the interior of the cell block. (b)(7)(C) observed the cells where the victims were found to be secured with padlocks, crime scene tape and olive drab electrical tape.

6. At approximately 1805 hours, (b)(3):10 USC §130b (b)(6) (b)(7)(C) entered cell five previously occupied by V/AHMED, to conduct photographic coverage. While the photography was being conducted, (b)(3):10 made the following observations of cell five. On the east wall dressed to the southeast corner, was a white in color sheet tied to the iron mesh of the wall at the corners of the sheet. A ligature, made of braided white cloth strips, was tied to the mesh where it joins with the ceiling. A blue blanket was on the floor near the doorway, a green in color camping type mat was over the toilet opening, a pair of shower shoes, a sock and a white in color cloth were in the southeast corner on the floor. (b)(7)(C) also observed a green mattress was placed on its side at a ninety degree angle in the northwest corner of the cell on the floor under the bunk, blue in color slip on shoes were on the ground, under the bunk against the west wall, a white in color sheet with unknown, but apparent, items under it was on the bunk positioned in a manner such as to give the appearance a human body was under the blanket and a prayer rug was on top of the bunk at the north end of the bunk. RA also viewed a bar of soap in the window sill, a white in color towel hanging in the eastern most window, a white in color towel hanging on the west wall above the bunk, a Koran was suspended by a sling made from a surgical mask on the west wall above the bunk. On the rail of the east wall rested three juice boxes, a water bottle, two Styrofoam cups, and a roll of toilet paper. (b)(7)(C) also observed a white wash cloth hanging in the exterior window. A clear plastic storage container was located on top of the cell. Overall and detailed photographs of the Cell Block Alpha and cell five are provided in the Photographic Investigative Action, which is appended separately to this report.

7. (b)(3):10 prepared a rough sketch of cell five prior to the seizure of any evidence. The final sketch by (b)(7)(C) is appended as Enclosure (D).

8. From 2220 to 2255 hours, (b)(7)(C) processed/seized all contents of cell five as potential evidence. RA placed the items into NCIS

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SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

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evidence custody packaging. Prior to removing ligature or knots, close-up photographs of each knot were taken with a scale present in the image.

9. The following items were seized from cell five and placed into NCIS evidence custody under MPGT evidence log number: 015-06.

ITEM	DESCRIPTION OF ARTICLE
A	Three juice boxes, two plastic cups, toilet paper
B	White sheet from wall
C	Braided ligature from wall
D	Blue cloth knot from wall
E	White towel from wall/window
F	Toilet items from window sill
G	Koran, surgical mask from wall
H	Towel from wall
I	Green/black rug from bunk
J	Two plastic vials, unk yellow liquid
K	Misc items from bunk
L	Beads and misc items from bunk
M	Blue blanket from floor
N	Ligature from floor under blanket
O	Torn t-shirt on floor
P	Sandals, skull cap from floor
Q	Towels in sink with white cloth
R	Green mat from floor
S	Blue sneakers
T	Large green sleeping mattress from floor
U	Plastic box, misc papers from above cell
V	Red mesh bag with clothes from above cell

10. At 2330 hours, Cell Block Alpha was secured by lock and seal for the evening.

ENCLOSURES

- (A) JDG entry log/10JUN06
- (B) Diagram of overall Camp One/12JUN06
- (C) Diagram overall of Cell Block Alpha/12JUN06
- (D) Diagram of cell five/12JUN06

PARTICIPATING AGENTS(b)(7)(C)


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Page(s) 1281-1294 Enclosures (A)-(D)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

17JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF EFFORTS TO DEVELOP LATENT PRINTS IN CELL A-8

1. On 11JUN06 at 1013 hrs Reporting Agent (RA) returned to the cell block where the three detainee deaths occurred. RA sighted the seals on the two entrances to the building and determined that they had not been tampered with since his departure from the building the previous night.
2. RA entered cell eight and examined the surfaces of the stainless steel sink in the southeast corner utilizing a 65-lumen Surefire E2 incandescent white light. RA observed what appeared to be latent friction ridge impressions on the surfaces of the sink that were parallel to the floor when he held the light at an oblique angle.
3. Utilizing an ostrich feather brush and standard florescent orange fingerprint powder RA attempted to develop the apparent latent prints.
4. (b)(3):10 USC §130b.(b)(6).(b)(7)(C) effected photographic coverage the prints. Photographs were taken utilizing a Nikon DX-2 digital camera, serial number 50559456, with a Nikon Series SB80 DX flash, serial number 233696 and a Nikon 17-35 mm lens, serial number US224259. Aperture, shutter speed, and flash settings were set to automatic. The photographic images were saved by the camera's mechanism to a Lexar Professional Compact Flash Card, serial number 8068. RA then saved the images to an NCIS evidence grade non-rewritable compact disk utilizing an Adams Magnetic Products INC Model FMC-5250 Forensic CD burner, serial number EM1114380011. The CD is contained within the case notes of this investigation. Select photographs are appended as Enclosures (A) through (E).
5. RA attempted to lift the developed prints with lift tape and place them on three separate cards. RA annotated the location from which the latent prints were lifted from on the latent print cards. RA placed the cards on an evidence custody document (ECD) and entered it into the NCIS evidence custody system under ECD log number 019-06.
6. (b)(3):10 USC §130b.(b)(6).(b)(7)(C) obtained footprints from the body of V/AL ZAHRANI. The footprints are maintained in the case notes folder.

PARTICIPANT(S)

(b)(7)(C)

Supervisory Special Agent, NCISRA Mayport, FL

ENCLOSURE(S)

(A) DSC 025 Overall view of sink/undated

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SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

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- (B) DSC 027 View of area lifted to card one without scale/undated
- (C) DSC 034 View of area lifted to card one with scale/undated
- (D) DSC 028 View of area lifted to card two without scale/undated
- (E) DSC 037 View of area lifted to care two with scale/undated

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V/AL ZAHRANI, YASSER TALA H/CIV

10JUN06-MPGT-0031-7HNA

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(b)(2),(b)(7)(C),(b)(7)(E)



V/AL ZAHRANI, YASSER TALA H/CIV
10JUN06-MPGT-0031-7HNA

ENCL (B)

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(b)(2),(b)(7)(C),(b)(7)(E)



V/AL ZAHRANI, YASSER TALA H/CIV
10JUN06-MPGT-0031-7HNA

ENCL (C)

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(b)(2),(b)(7)(C),(b)(7)(E)



V/AL ZAHRANI, YASSER TALA H/CIV
10JUN06-MPGT-0031-7HNA

ENCL (D)

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(b)(2),(b)(7)(C),(b)(7)(E)



V/AL ZAHRANI, YASSER TALA H/CIV
10JUN06-MPGT-0031-7HNA

ENCL (E)

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1301

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

17JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF EFFORTS TO DEVELOP LATENT PRINTS IN CELL A-12

1. On 11JUN06 at 1013 hrs Reporting Agent (RA) returned to the cell block where the three detainee deaths occurred. RA sighted the seals on the two entrances to the building and determined that they had not been tampered with since his departure from the building the previous night.
2. RA entered cell twelve and examined the surfaces of the stainless steel sink in the southeast corner utilizing a 65-lumen Surefire E2 incandescent white light. RA observed no apparent latent friction ridge impressions on the surfaces of the sink that were parallel to the floor when he held the light at an oblique angle.
3. RA made no additional efforts to locate and develop latent friction ridge impressions with cell twelve.

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

17JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF EFFORTS TO DEVELOP LATENT PRINTS IN CELL A-5

1. On 11JUN06 at 1013 hrs Reporting Agent (RA) returned to the cell block where the three detainee deaths occurred. RA sighted the seals on the two entrances to the building and determined that they had not been tampered with since his departure from the building the previous night.
2. RA entered cell five and examined the surfaces of the stainless steel sink in the southeast corner utilizing a 65-lumen Surefire E2 incandescent white light. RA observed what appeared to be latent friction ridge impressions on the surfaces of the sink that were parallel to the floor when he held the light at an oblique angle.
3. Utilizing an ostrich feather brush and standard florescent orange fingerprint powder RA attempted to develop the apparent latent prints.
4. (b)(3):10 USC §130b,(b)(6),(b)(7)(C) effected photographic coverage the prints. Photographs were taken utilizing a Nikon DX-2 digital camera, serial number 50559456, with a Nikon Series SB80 DX flash, serial number 233696 and a Nikon 17-35 mm lens, serial number US224259. Aperture, shutter speed, and flash settings were set to automatic. The photographic images were saved by the camera's mechanism to a Lexar Professional Compact Flash Card, serial number 8068. RA then saved the images to an NCIS evidence grade non-rewritable compact disk utilizing an Adams Magnetic Products INC Model FMC-5250 Forensic CD burner, serial number EM1114380011. The CD is contained within the case notes of this investigation. Select photographs are appended as Enclosures (A) through (E).
5. RA attempted to lift the developed prints with lift tape and place them on three separate cards. RA annotated the location from which the latent prints were lifted from on the latent print cards. RA placed the cards on an evidence custody document (ECD) and entered it into the NCIS evidence custody system under ECD log number 020-06.
6. (b)(7)(C) obtained footprints from the body of V/AHMED. The footprints are maintained in the case notes folder.

PARTICIPANT(S)

(b)(7)(C) Supervisory Special Agent, NCISRA Mayport, FL

ENCLSOURE(S)

(A) DSC_014 Overall view of sink/undated

EXHIBIT (100)

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- (B) DSC 011 View of area lifted to card #3 without scale/undated
- (C) DSC 012 View of areas lifted to cards #1 and #2 without scale/undated
- (D) DSC 018 View of area lifted to card #3 with scale/undated
- (E) DSC 020 View of areas lifted to cards #1 and #2 with scale/undated

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V/AL ZAHRANI, Yasser Talal/CIV
10JUN06-MPGT-0031-7HNA

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~~V/A~~

V/AL ZAHRANI, Yasser Talal/CIV
10JUN06-MPGT-0031-7HNA

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(b)(2),(b)(7)(E)



~~V/A~~

V/AL ZAHRANI, Yasser Talal/CIV
10JUN06-MPGT-0031-7HNA

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(b)(2),(b)(7)(E)



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V/AL ZAHRANI, Yasser Talal/CIV
10JUN06-MPGT-0031-7HNA

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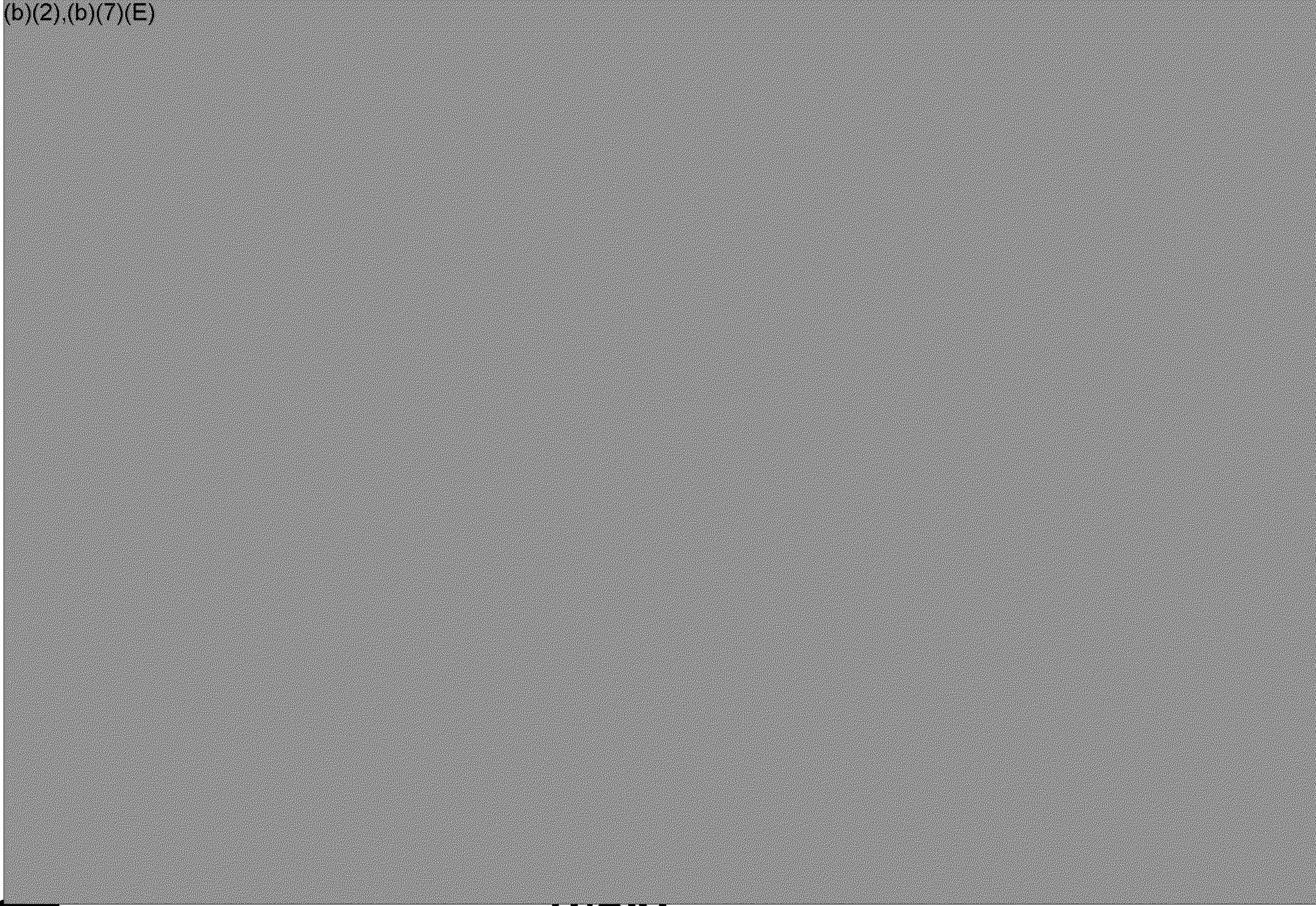
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(b)(2),(b)(7)(E)



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V/AL ZAHRANI, Yasser Talal/CIV
10JUN06-MPGT-0031-7HNA

VI/CIV

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ENCL (E)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

17JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF SEIZURE AND EXAMINATION OF DOCUMENTS

1. On 11JUN06 at 1013 hrs Reporting Agent (RA) returned to Camp Delta, Camp 1, Cellblock Alpha, where the three detainee deaths occurred. RA sighted the seals on the two entrances to the building and determined that they had not been tampered with since his departure from the building the previous night. As background, on the night of 10JUN06, a document, with hand-written Arabic characters on it, on paper stamped "Attorney-Client Communication, Privileged and Confidential" was found secreted in cell 8.
2. RA utilized Base Criminal Investigation Division Investigators (b)(3):10 USC §130b,(b)(6),(b)(7)(C) USN, and Senior Chief (b)(3):10 USC §130b,(b)(6),(b)(7)(C) from Joint Detention Group Investigations, to conduct searches of the cells and bags of personal belongings of all other detainees in Cellblock Alpha. RA instructed (b)(3):10 USC to segregate all paper documents and alert him to the presence of anything else similar to devices constructed from cloth that were located on the detainees that died. RA directed Arabic interpreters (b)(2) to screen the documents segregated by the investigators for information relating directly and only to the deaths of the three detainees and plans to commit suicide.
3. Interpreters (b)(2) alerted RA to the presence of hand written documents located in cell (b), which they described as "suicide pacts" and which did not appear to belong to the occupant of the cell as people with three different names signed them and the signatures appeared distinctly different. RA noted that these documents were written on pages stamped "Attorney-Client Communication, Privileged and Confidential, Attorney-Detainee Materials" and located in and with envelopes/folders marked in the same manner. RA took control of these documents. RA noted that cell 40 was occupied by ISN: (b)(2). Later, RA determined that ISN: (b)(2) was (b)(3):10 USC §130b,(b)(6) a Saudi Arabian citizen.
4. Interpreters (b)(2) also alerted RA to the presence of a hand written document located in the personal belongings bag of ISN: (b)(2). The Interpreters stated that the document was similar in nature to the documents found in cell 40 and that it appeared to be written by the same author as one of the documents found in cell 40 as the name was the same and the signature appeared to them to be the same. RA noted that this document was written on paper stamped "Attorney-Client Communication, Privileged and Confidential, Attorney-Detainee Materials" and located in and with envelopes/folders marked in the same manner. RA noted that ISN: (b)(2) had been the occupant of cell 4 whom the RA knew was removed from his

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1310

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cell earlier in the evening of 09JUN06 for staging blankets and sheets in a manner similar to the way blankets and sheets were positioned in the cells that the deceased detainees resided in and then failing to follow guard instructions to take them down. RA took control of this document. Later, RA determined that ISN: (b)(2) was (b)(3):10 USC §130b,(b)(6)

5. RA also elected to take control of all other documents associated with Cell (b)(2) for further evaluation. RA also located the personal documents of ISN: (b)(2) RA had previously been told, based on results of interviews conducted prior to the arrival of RA on scene, that there was some suspicion that ISN: (b)(2) was potentially involved in the three deaths. Consequently, RA took control of all documents associated with ISN: (b)(2) for further evaluation.

6. On 12JUN06, RA photocopied the aforementioned documents and provided them to (b)(3):10 USC USNR, Joint Intelligence Cell, for formally certified translation. On 14JUN06, RA submitted additional photocopies to BELLIGNER as portions of the first set of photocopies were missing portions along the edges of the paper.

7. On 12JUN06, RA utilized (b)(3):10 USC §130b,(b)(6) (b)(3):10 USC §130b,(b)(6) CIV, to review the documents seized in bulk and not identified as suspicious by Interpreters (b)(2) and (b)(2) (b)(3):10 USC §130b,(b)(6) identified numerous documents that are best described as poetry, which have the authors' death as a common and repetitive theme. RA elected not to enter these documents into evidence. These bulk documents have been combined with the documents seized from the remainder of the camp for further review at a later date.

8. On 16JUN06, RA received the results of the translation of the documents submitted to (b)(3):10 for translation. RA reviewed the translations and found the following:

a. Letter appended as enclosure (A), which was found in cell 40 in possession of ISN: (b)(2), is apparently from V/AHMED. Author states: "I am informing you that I gave away this precious thing that I have in which it became cheap, which is my own self, to lift up the oppression that is upon us through the American Government and the Red Cross evenly together, I will say this low and faulty committee (Either us, or you on the this Island, that is why I disposed off my body out of this cell)."

b. Letter appended as enclosure (B), which was found in cell 40 in possession of ISN: (b)(2), is apparently from V/AL ZAHRANI and dated 04JUN06. Author states: "(This letter is for the honest not the dishonest), I am fully contented doing that, and after I had thought about it, perhaps this may help remove the oppression from us, and towards this, there would be neither fear, nor desperation and no one forced or lured me into this doing and with that I am indebted to Allah; this soul is cheap (his soul) for the sake of Allah and the removal of oppression and I ask of Allah to accept it from me and to

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1311

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SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

bestow upon me the highest paradise and resurrect me among the green birds (TN: term used to mean those already blessed with paradise and living its eternal bliss), and my death is nothing compared to the thousand of Muslims who died in Iraq, Afghanistan or Palestine and the rest of the world where the America's alliances are ruling..."

c. Letters appended as enclosures (C) and (D), which were found in cell (b)(6) in possession of ISN: (b)(2), are apparently from (b)(6) (b)(6) and dated 08JUN06. RA noted that these two letters have identical content based on the provided translations but that the original letters are different in appearance (i.e.: the detainee made a hand written duplicate of the letter). RA observed that these two letters are addressed to ISN: (b)(2) which may explain why there are two copies. Author states: "Brother, I want you to know that I have come to do something in which I am depreciating my soul. I have never done anything like this before. The only reason to that is because I see this as a reason in Allah's willing! I reason for this oppression and aggression to be lifted-off through our detention."

d. Letter appended as enclosure (E), which was found in cell 40 in possession of ISN: (b)(2) is apparently from (b)(3):10 USC (b)(3):10 USC and dated 08JUN06. Author states: "I have decided this time to come up with a very truthful (honest) answer that is going to be explained in the following lines through sacrifice and speaking with a comfortable soul which doesn't know the meaning of desperation and boredom! I will sacrifice my worthless soul for your sake (Allah's lions) hoping that this might have you released from your captivity...What I have done was not because I was superior, but because I was inferior to you. I also know that when you leave you will benefit Allah more than me. Forgive me! Don't forget about me in your supplications!" RA noted that the author explained at length why he was taking his own life and what he hoped it would accomplish.

e. Letter appended as enclosure (F), which was found in the belongings of ISN: (b)(2) and addressed to ISN: (b)(2),(b)(6) (b)(2),(b)(6). The letter is apparently from V/AHMED and dated 07JUN06. Author states: "We have left not for the sake of coming back...Hopefully we will meet soon in Allah's willing in His eternal paradise."

9. On 16JUN06, RA determined, based on the translations and apparent authors' identities, that the original letters written in Arabic and appended as enclosures (A) through (F) were potential evidence. RA placed the letters on evidence custody documents (ECD) and entered them into the NCIS evidence custody system under ECD Log Numbers 027-06 and 028-06.

ENCLOSURE(S)

- (A) Copy and Translation of Letters from V/AHMED/undated
- (B) Copy and Translation of Letter from V/AL ZAHRANI/04JUN06
- (C) Copy and Translation of Letters from YASSIR KHILLAL
Abdullah/08JUN06

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SUBJ: V/AL ZAHRANI, YASSER TALAL/CIV

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

- (D) Copy and Translation of Letters from Yasser KHILLAL
Abdullah/08JUN06
- (E) Copy and Translation of Letters from YASSIR KHILLAL
Abdullah HIRATTI/08JUN06
- (F) Copy and Translation of Letter from V/AHMED/09JUN06

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(b)(7)(C)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

13JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF LOG BOOK SEIZURE

1. On 12Jun06, during a re-examination of the death scenes at Cell Block A, Camp Delta, Camp 1, Supervisory Special Agent (b)(7)(C) discovered a page was torn out of the log book used to document the entry and exit of persons to the cell block since 10Jun06. The log book was seized by Special Agent (b)(7)(C) and later logged into the NCISRU Guantanamo Bay, Cuba evidence custody system under log # MPGT-021-06.

2. Review of the log book revealed it was initiated at 0525 hours on 10Jun06, and the second page appeared to have been ripped out. The prior page (back of page 1) ended at 1219 hours on 11Jun06, and the third page began at 1248 hours on 11Jun06. Copies of the log book pages are appended as Enclosure (A).

ENCLOSURE

(A) Copy of log book/10-12Jun06

REPORTED BY: (b)(7)(C), Special Agent
OFFICE: NCISFO Washington, DC

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EXHIBIT (102)

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Page(s) 1355-1360 Enclosure (A)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

13JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF DEATH SCENE RE-EXAMINATION

1. On 12Jun06, Reporting Agent (RA), Supervisory Special Agent (SSA) (b)(3):10 USC §130b, (b)(6), (b)(7)(C) and (b)(3):10 USC re-examined Cells A-5, A-8 and A-12 at Camp Delta, Camp 1.
2. RA, (b)(3):10 USC §130b, (b)(6), (b)(7)(C) arrived at Cell Block A at approximately 2040 hours. (b)(3):10 USC verified the gate was sealed before the team entered the cell block. (b)(3):10 USC then unlocked each cell with a master key provided by (b)(3):10 USC.
3. RA and (b)(3):10 USC then examined each cell using an ultra-violet light source. Although a number of fibers in the cells fluoresced under the UV light, no biological fluids were identified. Subsequently, (b)(3):10 USC applied luminol throughout the cells in an attempt to locate trace bloodstains. No fluorescing stains were observed. However, due to the design of the cell block, all ambient light could not be eliminated. (Complete darkness is required to observe fluorescing bloodstains when using luminol.)
4. At approximately 2140, re-examination of the scenes was completed and RA, SSA (b)(7)(C) departed Cell Block A. SA (b)(7)(C) then verified the back gate to the cell block was sealed and re-sealed the front gate upon departure.

REPORTED BY: (b)(7)(C) Special Agent
OFFICE: NCISFO Washington, DC

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EXHIBIT (103)

1361

//23B/MP//

~~SECRET NOFORN~~
U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

17JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RESULTS OF EXAMINATION OF ITEM "O" FROM ECD 014-06

1. As background, during the 10JUN06 search of V/AL ZAHRANI's cell, a torn up hand written note and an 11 X 8 inch piece of paper with handwriting on it were found concealed in the space inside the window sill of the cell.
2. On 12JUN06, Reporting Agent (RA) had the 11 X 8 inch piece of paper translated by (b)(3):10 USC CIV. RA reviewed the translation and determined that the letter may be related to the investigation as it made multiple references to a "will". RA noted that letter was signed "Bin Sylman" vice with V/AL ZAHRANI's name.
3. The letter and subsequent translation are appended as enclosures (A) and (B) respectively.

ENCLOSURE(S)

- (A) Photocopy of letter in Arabic/undated
- (B) Translation of letter/undated

REPORTED BY:

(b)(7)(C)

OFFICE:

NCISRA JACKSONVILLE, FL

~~SECRET NOFORN~~

EXHIBIT (104)

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

19JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

RECEIPT OF LITERAL TRANSLATION OF ITEM "O" FROM ECD 014-06

1. As background, during the 10JUN06 search of V/AL ZAHRANI's cell, a torn-up hand written note and an 11 X 8 inch piece of paper with handwriting on it were found concealed in the space inside the windowsill of the cell.
2. On 19JUN06, Reporting Agent (RA) had the 11 X 8 inch piece of paper translated word-for-word by (b)(3):10 USC, CIV. RA asked (b)(3):10 USC about the letter and he stated the first page is a type-written document drafted by an unknown person. The first page has "Look in the back" printed in handwriting. The letter describes methods to defeat prosecutions of 10 detainees being held at JTF-GTMO by claiming confessions were obtained by torture. (b)(3):10 USC stated the second page of the document is handwritten and signed by (b)(6). (b)(6) The handwritten portion is worshipful praise of Allah and to ask his blessing for an act to be performed by (b)(6) for the benefit of others. (b)(3):10 USC stated that the act to be performed may be suicide but there is no explicit discussion of suicide in the handwritten portion of the document.
3. The letter and subsequent translation are appended as enclosures (A) and (B) respectively.

REPORTED BY: (b)(7)(C)
OFFICE: NCISRA GUANTANAMO BAY, CUBA

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

17JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIVILIAN
M/W/FNSA/N//26DEC83/SAUDI ARABIA

REVIEW OF EVIDENCE FOR PERSONAL PROPERTY

1. On 14JUN06, Reporting Agent and Participating Agent (b)(7)(C) reviewed all of the evidence custody documents pertaining to this investigation. This review was conducted prior to the return of the victims to their countries of origin. It was determined that no personal property belonging to the victims was being held by NCISRU Guantanamo Bay, CU.

PARTICIPANT

(b)(7)(C) Special Agent, NCISRA Jacksonville, FL

REPORTED BY: (b)(7)(C) Special Agent

OFFICE: NCISHQ Washington, DC

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1382

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

15JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV (DECEASED)
M/W/FNSA/N///SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

Receipt of Weather Results from NAFC for Guantanamo Bay, Cuba

1. On 15JUN06, Reporting Agent (RA) contacted the Naval Aviation Forecasting Component (NAFC), Guantanamo Bay, Cuba, to obtain information regarding weather conditions at the Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO) for the evening hours of Friday, 09JUN06, and the early morning hours of Saturday, 10JUN06.

(b)(3):10 USC §130b.(b)(6).(b)(7)(C)

provided information from NAFC and confirmed that additional information obtained by RA from the "Weather Underground" website is reliable.

2. On the evening of 09JUN06, the moon was 95% illuminated, which made it an almost full moon. However, according to NAFC, the sky condition and coverage on 09JUN06, from 1800 through 2359 was mostly cloudy with 7/8 of the sky covered. The ceiling was 10,000ft, dropping and remaining at 9,000ft around 2030. The sky condition and coverage on 10JUN06 from 0000-0600 was also mostly cloudy with 7/8 of the sky covered. The ceiling was 9,000ft, dropping and remaining at 8,000ft around 0430. The sky conditions remained constant throughout each time period listed above.

3. Sunset on 09JUN06, was at 1939, and sunrise on 10JUN06, was at 0620.

4. Finally, the chart below provides the temperature in degrees Fahrenheit and the humidity level from 1755 on 09JUN06 to 0655 on 10Jun06:

	TIME	TEMPERATURE	HUMIDITY
09JUN06	1755	84.0 F	72%
	1855	84.0 F	69%
	1955	84.0 F	69%
	2255	81.0 F	77%
	2355	81.0 F	85%
10JUN06	0055	80.1 F	87%
	0155	78.1 F	93%
	0255	78.1 F	87%
	0355	78.1 F	90%
	0455	77.0 F	88%
	0555	77.0 F	90%
	0655	75.9 F	91%

REPORTED BY:

(b)(7)(C)

OFFICE:

NCISRU Guantanamo Bay, Cuba

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EXHIBIT (107)

1383

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

19JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA

CURSORY REVIEW OF SEIZED DETAINEE DOCUMENTS

1. On 18JUN06 Reporting Agent (RA) and Participating Agents (PA) conducted a cursory review of seized detainee documents. This review was conducted in conjunction with the ongoing investigation into the unattended death of Yasser Talal Al ZAHRANI (V/AL ZAHRANI), a detainee at the detention facility Guantanamo Bay, Cuba. As background, during the course of investigation documents were discovered in the cells of other detainees that were pertinent to this investigation. Subsequent to the discovery of these documents searches were conducted of all detainee belongings resulting in the seizure of documents, files, and other items.

2. Also present were two Arabic linguists necessary to assist with providing a synopsis of the documents in an effort to determine if they were of value to the investigation. During the review writings were discovered that were deemed pertinent to this investigation and were subsequently separated for further translation and evaluation. Additionally, documents, folders, and envelopes were identified that bore markings of attorney client privileged information. These items were separated and segregated. In plain view it was noted one document, mixed between folders that bore markings of attorney client privileged, was an email from a military member which is believed to be classified as Secret. This resulted in probable cause to open such folders (after consultation with a Navy JAG who was flown in to assist with the attorney client privilege issue to ensure strict procedures were followed) in an effort to determine if classified information was inside. Upon cursory review one SECRET/NOFORN marked document was noted along with an additional marking of UNCLASSIFIED. This document appears to be a court transcript. One paragraph within the document is labeled as "LES" (Law Enforcement Sensitive). The remaining documents within this package were further reviewed for classified information. These items were further segregated.

PARTICIPANT(S)

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

OFFICE: NCISRU Guantanamo Bay, Cuba

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1384

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

19JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA

RESULTS OF SEARCH INCIDENT TO DEATH

1. On 14JUN2006, Reporting Agent and Participating Agents were conducted a searches of all detainee cells and property located aboard the Joint Detention Facility, Guantanamo Bay, Cuba. These actions were in direct response to three apparent detainee suicides that occurred in the facility on 10JUN2006. As background, during the course of investigation documents were discovered in the cells of other detainees that were pertinent to this investigation. Subsequent to the discovery of these documents searches were conducted of all detainee belongings resulting in the seizure of documents, files, and other items.
2. On this same date, instructions were to confiscate any handwritten documents scripted in a non-English language; to include Attorney-Client privileged information.
3. On 15JUN2006, instructions were to confiscate all handwritten documents scripted in a non-English language and all Attorney-Client privileged information scripted in English.
4. On 16JUN2006 to the completion of the search, instructions were to confiscate all Attorney-Client privileged documents and all handwritten documents.
5. All documents were transported and turned over to NCISRA Guantanamo Bay, Cuba for review.

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)



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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

17JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIVILIAN
M/W/FNSA/N//26DEC83/SAUDI ARABIA

RESULTS OF RE-CREATION OF DEATH SCENES

1. On 14JUN06, Reporting Agent and Participating Agents ROGISH and HANSEN re-created the death scenes of V/AL ZAHRANI, V/AL TABI, and V/AHMED, located at Camp Delta, Camp One, Alpha Block, Cell Numbers A-8, A-12, and A-5, respectively. Using the death scene photographs from 10JUN06, the scenes were re-created for the purpose of documenting visibility conditions. Participating Agent (b)(7)(C) then recorded the conditions of Alpha Block using a Sony Digital Handycam DCR-PC101. This occurred from approximately 2150-2218 on 14JUN06. The bank of fluorescent lights outside of cells A-1 through A-24 was turned off, which replicated the lighting conditions on the evening of 09-10JUN06. The videotape is attached as enclosure (A).

2. In addition to the videotape, the scenes were photographically documented using a Nikon D2X digital camera on 15JUN06 from approximately 2124-2152. Photographs were taken by (b)(3):10 USC USN, who is assigned to Combat Camera, J-3, Joint Task Force, Naval Station Guantanamo Bay, Cuba. Photographs were exposed using ambient light only. As above, the fluorescent lights outside of cells A-1 through A-24 were turned off. The photographs of cells A-8, A-12, and A-5 are attached as enclosures (B) through (D).

3. Note that the victims' cells were documented in the order in which they were discovered by the Joint Detention Group guard force: cell A-8 belonging to V/AL ZAHRANI, cell A-12 belonging to V/AL TABI, and cell A-5 belonging to V/AHMED.

ENCLOSURES

- (A) Videotape of Alpha Block/14JUN06
- (B) Photographs of Cell A-8/15JUN06
- (C) Photographs of Cell A-12/15JUN06
- (D) Photographs of Cell A-5/15JUN06

(b)(3):10 USC §130b,(b)(6),(b)(7)(C)

OFFICE: NCISHQ Washington, DC

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U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

INVESTIGATIVE ACTION

19JUN06

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

Packaging and shipment of evidence obtained from detainee cells

1. On 19JUN06, agents assigned to NCISRA Guantanamo Bay, Cuba packaged the documents seized from the detainees being held at Delta Camp, Joint Task Force, Guantanamo Bay, Cuba. The documents were packaged in 34 boxes and one bag. The combined weight was 1065 pounds.

REPORTED BY: (b)(7)(C)
OFFICE: NCISRA GUANTANAMO BAY, CUBA

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NCIS

1422

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (CHANGE)

17JUN06

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO
V/AL TABI, MANA SHAMAN ALLABARD/CIV
M/W/FNSA/N//01JAN76/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO
V/AHMED, ALI ABDULLA H/CIV
M/W/FNYM/N//01AUG79/YEMEN
SUPP: DETAINEE BEING HELD AT JTF-GTMO

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA/ (b)(7)(C) SPECIAL AGENT

REFERENCE(S)

- (A) NCISRU GUANTANAMO BAY, CUBA ROI(OPEN)/11JUN06
- (B) NCIS CASE FILE: V/AL TABI, MANA SHAMAN ALLABARD/CIV
CCN: 10JUN06-MPGT-0032-7HNA
- (C) NCIS CASE FILE: V/AHMED, ALI ABDULLA H/CIV
CCN: 10JUN06-MPGT-0033-7HNA

NARRATIVE

1. Subsequent to the transmission of reference (A), (B) and (C) it was determined by NCISHQ that it would be better to have only one investigation for the three deaths that occurred at Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO), Detention Facility. NCISHQ directed references (B) and (C) be closed and the victims from those investigations be added as additional victims to reference (A).

ACTION

DIST: Note addition of two additional victim titles. ✓

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1423

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (ACTION)

15JUN06

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/0023/NCISHQ WASHINGTON DC (b)(7)(C) SPECIAL AGENT

REFERENCE(S)

- (A) NCISRA GUANTANAMO BAY ROI (OPEN)/11JUN06
- (B) NCIS 1, Chapter 25-10, Special Interest "SI" Investigations

NARRATIVE

1. Subsequent to the submission of Reference (A), this case has been designated "Special Interest" (SI) by NCISHQ.

ACTION

MPGT: As per guidance provided in Reference (B), reporting requirements are increased in frequency as significant information is developed. Weekly contact is to be made with the SI desk officer, (b)(3):10 USC §1306 (b)(6) (b)(7)(C) for status updates.

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1424

U.S. NAVAL CRIMINAL INVESTIGATIVE SERVICE

REPORT OF INVESTIGATION (OPEN)

11JUN06

DEATH (II)

CONTROL: 10JUN06-MPGT-0031-7HNA

V/AL ZAHRANI, YASSER TALAL/CIV
M/W/FNSA/N//26DEC83/SAUDI ARABIA
SUPP: DETAINEE BEING HELD AT JTF-GTMO

COMMAND/JOINT TASK FORCE GUANTANAMO BAY, CUBA/31886

MADE AT/MPGT/GUANTANAMO BAY CUBA, (b)(7)(C) SPECIAL AGENT

NARRATIVE

1. This is a reactive investigation initiated to determine cause and manner of death of V/AL ZAHRANI.

2. Investigative was initiated on 10Jun06, subsequent to the receipt of information from the Joint Task Force Guantanamo Bay, Cuba (JTF-GTMO) Staff Judge Advocate (SJA) of the death of V/AL ZAHRANI, a detainee, within JTF-GTMO Camp Delta. V/AL ZAHRANI was found hanging inside his cell, within Alpha Block, Camp Delta, at approximately 0039, on 10Jun06, by Joint Detention Group (JDG) personnel. V/AL ZAHRANI was cut down by JDG personnel, placed on a backboard and transported to the Detention (DET) Clinic inside Camp Delta. DET Clinic medical personnel assessed V/AL ZAHRANI and initiated Cardio Pulmonary Resuscitation (CPR). A Naval Hospital Guantanamo Bay, Cuba (NAVHOSP GTMO) ambulance responded to the DET Clinic and transported V/AL ZAHRANI to the NAVHOSP. Upon initiation CPR continued until V/AL ZAHRANI was pronounced dead at 0150. During a search of the person of V/AL ZAHRANI, a note written in Arabic was discovered. All movement of V/AL ZAHRANI from the death scene occurred prior to NCIS arrival on scene. Investigation continues.

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Filter Team Procedure

I. Background

Various documents were seized from detainees by the Naval Criminal Investigative Service (NCIS) as part of an investigation into the apparently coordinated suicides of three detainees at Guantanamo Bay in June 2006. The investigation includes a determination of whether any other detainees or third parties were involved in encouraging, assisting or planning these or future suicide attempts by detainees. (See Declarations of Special Agent Carol Kisthardt and Admiral Harry Harris, at Appendix A).

Ultimately, NCIS seized all materials from the cells of many detainees. The 1,100 pounds of collected material includes paperwork and some of this paperwork is attorney-client privileged material (which includes communications between counsel and client as well as work product prepared by a detainee or counsel as part of the litigation). Before reviewing the paperwork (and thus reviewing attorney-client material), the government sought authorization from the federal court for its proposed review process.

The attorney-client privilege is a fundamental and important right in the American legal system. The United States District Court recognized, however, that the need to maintain safety and security within a wartime detention facility is also important. For this reason, the District Court judges overseeing some of the habeas cases have now authorized the government to review the seized documents that may be protected by the attorney-client privilege. Because other judges have not yet authorized the review for their cases, the materials of the detainees in those habeas cases should not be reviewed at this time. ~~THE GOVERNMENT REQUESTS THAT THE COURT ORDER THAT THE MATERIALS OF THE DETAINES IN THOSE HABEAS CASES SHOULD NOT BE REVIEWED AT THIS TIME.~~

This review, however, must be conducted with procedures that safeguard the attorney-client privilege. (See Appendix C for the District Court opinion).

II. Attorney Involvement with Detainees at Guantanamo

A variety of civilian and military attorneys have been provided access to detainees at Guantanamo over the past several years. Those attorneys have been meeting and communicating in writing with detainees through a "legal mail" process.

Starting in December 2003, military defense lawyers have been appointed to represent 10 detainees who have been charged with war crimes under the military commission process. (A list of the detainees who have commission cases pending and their attorneys has been provided to the Filter Litigation Team).

Starting in August 2004, civilian attorneys who represent detainees in federal habeas corpus proceedings have been permitted access to their clients at Guantanamo. (See Appendix D for a fact sheet regarding the history of the habeas corpus litigation. A list of the detainees who have habeas cases pending and their attorneys has been provided to the Filter Litigation Team). The attorneys' access to these detainees is governed by a Protective Order entered by the federal judges overseeing the habeas cases. (See Appendix E).

Although the members of the Filter Team must read and be familiar with the Amended Protective Order governing the habeas cases, the following information is highlighted:

- In order to have access to detainees at Guantanamo, all counsel (that terms includes attorneys, paralegals, translators, support staff, etc) must have a valid SECRET security clearance.
- Once the Protective Order has been entered in a habeas case, cleared counsel are permitted to correspond with their client through the "legal mail" process. The materials sent through this process are considered privileged and thus are not reviewed by the Department of Defense.
- **Legal mail** is defined as correspondence between a detainee and his or her counsel, including attorneys, paralegals, translators, and support staff. Legal mail is sent through the Department of Defense's Legal Mail System (LMS). Legal mail is not subject to review by the Department of Defense. Legal mail is sent through the LMS to the detainee's legal representative at the Guantanamo Bay Detention Facility. Legal mail is not subject to review by the Department of Defense.
- The "legal mail" process cannot be used to send "correspondence or messages from a detainee to individuals other than his counsel (including family/friends or other attorneys)." Furthermore, "written correspondence from a detainee to his or her counsel, including attorneys, paralegals, translators, and support staff, is not subject to review by the Department of Defense. However, correspondence from a detainee to individuals other than his or her counsel, including family/friends or other attorneys, is subject to review by the Department of Defense." Legal mail is sent through the LMS to the detainee's legal representative at the Guantanamo Bay Detention Facility. Legal mail is not subject to review by the Department of Defense.
- When counsel send legal mail to their clients, the only inspection of the materials is for a search for physical contraband (weapons, drugs, etc). Once that inspection is completed, the envelope is marked "Legal Mail approved by Privilege Team" and it is delivered to the detainee at Guantanamo. When (and after) the "legal mail" is delivered to a detainee, it is not reviewed by government personnel.

Subject to certain space limitations, it will remain in the detainee's cell for his review and use.

[REDACTED]

- All communications (written and oral) from a detainee to his lawyer are treated as presumptively SECRET/NOFORN and must be handled accordingly by the counsel. This is to prevent the inadvertent disclosure of classified material by the habeas counsel. If the counsel want to handle the material in any other way, the counsel will submit the material to a "Privilege Team" for a classification review. (Like the Filter Team, the Privilege Team is restricted from disclosing the contents of these communications, except in some limited circumstances.)

[REDACTED]

The habeas litigation has included a variety of counsel challenges to the conditions of detention, medical care problems, oppositions to transfers from Guantanamo and a variety of "collateral" matters.

Guidance on determining whether a document is covered by the attorney-client privilege is found at Appendix F.

III. General Instructions

In its authorization, the court cautioned the Filter Team to remember that the team must perform its task with the following restrictions:

- The Filter Team must keep meticulous records and maintain a chain of custody for every document reviewed. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] If disputes later arise as to how individual documents were treated, the Filter Team's records must clearly show who had access to the document, what determinations were made regarding its content, and to whom the document was given.
- The Filter Team must not disclose the contents of any attorney-client privileged materials to any individuals outside the Filter Team except for information pertaining to future

events that threaten national security or involve imminent violence. Such information may be disclosed only to the Department of Justice Filter Litigation Team.

The Department of Justice Filter Litigation Team (FLT) will be responsible for handling all attorney-client privileged materials that threaten national security or involve imminent violence. It is essential that the Filter Team only disclose such materials to the FLT. The Filter Team's point of contact at the FLT will be _____ should only be contacted as follows:

<INSERT CONTACT INSTRUCTIONS HERE>

Each member of the Filter Team will be assigned a unique identification number. When indicating in the team's records who reviewed a document, never use the Filter Team member's actual name. Always use the Filter Team members' ID number. This precaution is necessary to protect the privacy of the Filter Team members.

Each member of the Filter Team, after reading these instructions and prior to reviewing any documents, must sign the statement on the final page of this packet.

IV. Document Review Instructions

1. Remove the paper items from the bag.
2. **Apply Bates numbers to each document.** The Bates-numbers should be applied to every page in a document on which any writings, markings, drawings, or other text appears. Apply the Bates-numbers in a location as close to the bottom right hand corner of the page as possible, without obstructing the content of the document.
3. **Complete a document review form for each individual document.** If a document includes one or more attachments, such as a letter from an attorney to a detainee that includes a newspaper article, treat the letter and the article as a single document. Blank document review forms will be provided and an example form appears in the appendix of these instructions.
4. **Examine the document.** Examine each document for information that is relevant to the case. In completing the document review form, indicate the relevant information contained in the document.

5. Three questions must be answered for each document:

- a. Does the document contain information pertaining to future events that threaten national security or involve imminent violence?**

If so, alert the Filter Litigation Team immediately.

- b. Is the document relevant to the NCIS investigation?**

- c. Is the document potentially protected by the attorney-client privilege?**

Documents are potentially protected by attorney-client privilege if they are correspondence or other written material in the possession of a detainee that appears to have been provided to that detainee by his attorney or created by the detainee to provide to or communicate with his attorney.

Any materials created by the detainee that appear to be intended for his attorney will be processed as if they are attorney-client material. This may include hand-written notes on documents that would not be considered attorney-client privileged without the notes. Some documents prepared by the detainee will be written on paper that has been stamped with a marking indicating that the document is attorney-client privileged, even though the contents of the document would not be considered attorney-client privileged if it appeared on paper without the stamp. Such documents at the outset should be considered to be attorney-client material unless determined otherwise by further evaluation. See Appendix F for further guidance regarding the determination of attorney-client privilege.

Some material may appear to be attorney-client material but also may appear to violate the parameters of the Protective Order. If the information is also deemed to be relevant to the investigation, the Filter Team should inform the Filter Litigation Team of this apparent violation when forwarding the document. If the information is deemed to not be relevant to the investigation, the material should be forwarded to the Filter Litigation Team.

NOTE: When it is unclear whether or not a document should be considered attorney-client material, the document should be presumed to be privileged.

6. For all documents that do not contain information relating to future acts of imminent violence or that threaten national security, sort the documents into four categories as noted below:

- a. Category 1: Documents that are relevant to the NCIS investigation AND are also attorney-client privileged.
- b. Category 2: Documents that are not relevant to the NCIS investigation but are attorney-client privileged.
- c. Category 3: Documents that are relevant to the NCIS investigation and are not attorney-client privileged.
- d. Category 4: Documents that are not relevant to the NCIS investigation and are not attorney-client privileged.

		Is the document relevant to the NCIS investigation?	
		Yes	No
Is the document protected by the Attorney-client privilege?	Yes	Category 1 Relevant & Privileged (Contact Filter Litigation Team)	Category 2* Irrelevant & Privileged (Return to Detainee)
	No	Category 3 Relevant & Not Privileged (Provide to NCIS)	Category 4 Irrelevant & Not Privileged (Return to JTF-GTMO)

7. Indicate the Category into which the document was placed on the document review form and place the document with the other documents placed in the same Category.

8. The document review form has an additional place for the Filter Team member to indicate any other information, notes, or comments that are deemed relevant. The reviewer should indicate any contact that he/she has with individuals outside the Filter Team in regard to the document here. For instance, the reviewer might contact a member of NCIS to ask a clarifying question without revealing the content of a document. This contact must be indicated on the document review form.

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9. Once all of the documents from a single detainee have been reviewed, secure all of the documents in each Category with a rubber band or other fastener as appropriate and place them in accordion redwell folders in preparation for transfer.

All of the document review forms should be arranged in the order of the Bates-numbers of the documents to which they pertain. Secure the forms with a fastener and placed the forms in their own redwell folder.

10. Either retain the documents or transfer the documents to the DOJ Filter Litigation Team, to NCIS, to the detainee, or to JTF-GTMO based on the Category, as required.¹

Category 1: The Filter Team will retain the Category 1 documents until it receives specific written instructions regarding their disclosure from the Department of Justice Filter Litigation Team (FLT).

The Filter Team must contact the FLT regarding all documents in Category 1, and may only disclose the documents or their contents to the FLT. The FLT will contact detainee's counsel for consent to disclosure of the documents to NCIS and/or will submit a filing under seal to the Court Security Officer (CSO) requesting permission for the documents to be disclosed to NCIS.

No disclosure of Category 1 documents may be made by the Filter Team prior to receiving documented consent of detainee's counsel or court approval.

- b. **Category 2:** If the information does not appear to violate the parameters of the Protective Order, the filter team must return all documents in Category 2 directly to the detainee. The documents should not be disclosed to JTF-GTMO command or to NCIS.

If it appears that the information violates the parameters of the Protective Order, the document must be forwarded to the Filter Litigation Team. The documents should not be disclosed to JTF-GTMO command or to NCIS.

- c. **Category 3:** The filter team should disclose all documents in Category 3 directly to NCIS. When NCIS has completed its investigation, the documents should be returned to JTF-GTMO for redistribution to the detainees to whom the documents belong, as appropriate.

- d. **Category 4:** The filter team should return all documents in Category 4 directly to JTF-GTMO. JTF-GTMO should return the documents to the detainees to whom the documents belong, as appropriate.

¹ Note that the NCIS agent members of the Filter Team will be responsible for the physical handling of the documents as part of mailing them to the appropriate receiving authority.

11. Once the documents have been transferred out of the possession of the Filter Team, indicate on each document review form to whom the document was transferred and the date of transfer.

Appendices:

- A. Declarations of Special Agent Carol Kiskhardt and Admiral Harry Harris**
- B. List of detainees whose materials can be reviewed**
- C. Judge Robertson's Opinion regarding the review**
- D. Habeas litigation fact sheet**
- E. Habeas case protective order**
- F. Guidance regarding attorney-client determination**

EXHIBIT A

NCIS

ENCLOSURE (A) 12

DECLARATION

Pursuant to 28 U.S.C. § 1746, I, Harry B. Harris, hereby declare:

1. I am a Rear Admiral in the United States Navy, with 28 years of active duty service. I currently serve as Commander, Joint Task Force-Guantanamo, Guantanamo Bay, Cuba (JTF-GTMO). I have served in that position since March 2006. JTF-GTMO conducts detention and interrogation operations in support of the Global War on Terrorism, coordinates and implements detainee screening operations and supports law enforcement and war crimes investigations. Our detention mission is conducted in a humane manner intended to protect the security of both detainees and JTF personnel at GTMO. In my capacity as Commander, I am responsible for all aspects of JTF-GTMO operations. The information contained in this declaration is based on my personal knowledge or information supplied to me in my official capacity.
2. After the detainee suicides of 10 June 2006, the Naval Criminal Investigative Service (NCIS) began an investigation of the circumstances of the suicides at the U.S. Naval Base at Guantanamo Bay, Cuba. The NCIS is the primary criminal investigation service of the Department of the Navy; it investigates all deaths associated in any way with the Navy. Since JTF-GTMO is a tenant activity on Naval Station Guantanamo Bay, Cuba, the established Standard Operating Procedure calls for NCIS to investigate any detainee death. NCIS is an independent entity, completely outside the chain of command of JTF-GTMO. The NCIS sent an investigatory team to JTF-GTMO on 10 June 2006. The purpose of the investigation was to determine the manner and cause of death of the three detainees.

3. As Commander, JTF-GTMO, I was periodically updated on the status of the investigation to ensure force protection aspects of the case were brought to my attention. I was advised that NCIS had obtained information which suggested the suicides may have been part of a larger plan or pact for more suicides that day or in the immediate future.
4. After being briefed on these developments in the NCIS investigation, I was convinced of the need for a broad investigation into all of the relevant facts and circumstances surrounding the three suicides on 9/10 June 2006. On 22 June 2006, I specifically requested that NCIS include within their investigation, (1) whether the suicides on 9/10 June 2006 were related to a plot by detainees to commit suicide, or were otherwise encouraged, ordered, or assisted by other detainees or third persons; and (2) whether there exists any evidence of past, ongoing or future plots for detainees to commit suicide. The basis for my request was to ensure the safe and humane care and treatment of the enemy combatants detained at Guantanamo, as well as the safety of all personnel who enter and work in the detention facilities under my responsibility. I declare under penalty of perjury under the laws of the United States of America that, to the best of my knowledge, information, and belief, the foregoing is true, accurate, and correct.



HARRY B. HARRIS, JR.
REAR ADMIRAL, U.S. NAVY

EXHIBIT B

NCIS

ENCLOSURE (B) 75

DECLARATION OF CAROL KISTHARDT

Pursuant to 28 U.S.C. § 1746, I, Carol Kisthardt, hereby declare:

1. I am the Special Agent in Charge, Southeast Field Office, Naval Criminal Investigative Service ("NCIS"). I have served in this position since May 2004. In this capacity I supervise all NCIS investigations within the jurisdiction of the Southeast Field Office, which includes Georgia, Florida (less the Pan Handle), the Caribbean (to include the U.S. Naval Base at Guantanamo Bay, Cuba), as well as South and Central America. The following declaration, which is based on my personal knowledge or information supplied to me in my official capacity, pertains to the investigation that was initiated at my direction into the deaths of three detainees at the U.S. Naval Base at Guantanamo Bay, Cuba.
2. After the detainee suicides of 10 June 2006, the Naval Criminal Investigative Service (NCIS) initiated an investigation into the circumstances of the suicides at the U.S. Naval Base at Guantanamo Bay, Cuba. The NCIS is the primary criminal investigation service of the Department of the Navy and is responsible for investigating unattended deaths on U.S. Naval installations. The Navy has primary jurisdiction over Guantanamo Bay, Cuba.
3. On 10 June 2006, NCIS found what appeared to be handwritten suicide notes on the deceased detainees' persons. NCIS conducted searches of the detainees' cells and discovered a handwritten note hidden in the mesh wall of one of the deceased detainee's cell which, when translated, was found to be related to the suicides. That note was written in Arabic on notepaper that had been stamped "Attorney Client Privilege," on the back of the paper, and after translation was found to have been written by someone using a name different from the name of the detainee who lived in the cell. NCIS investigators

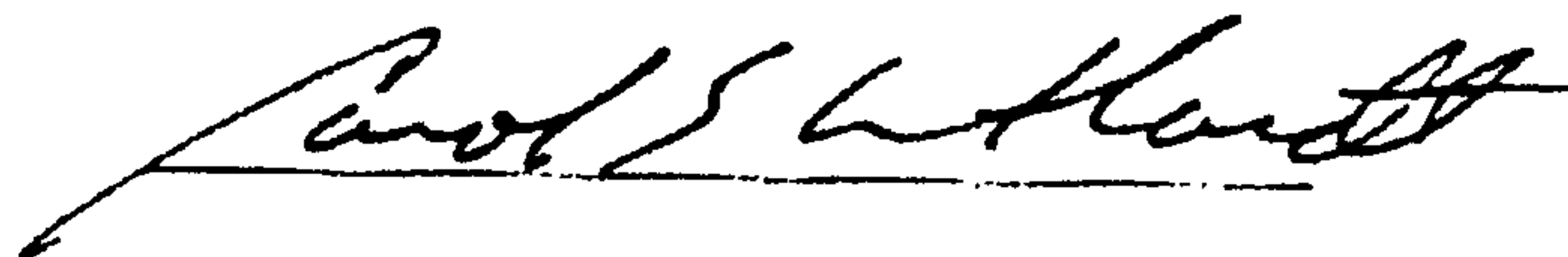
then searched other occupied cells in the cellblock for additional evidence surrounding the deaths of the three detainees and/or additional planned suicides. The NCIS team searched for, among other items, handwritten notes that could be relevant to the three suicides, including anything that would reflect a suicide plan or pact. Notes were subsequently found in the cell of a detainee other than the three suicide victims. These notes were written in Arabic, and after translation, were considered to be relevant to the investigation and potentially authored by at least two of the deceased detainees. These notes were handwritten, many of them on stationery stamped "Attorney-Client Communication", "Privileged and Confidential", and "Attorney-Detainee Materials", in both English and Arabic.

4. The discovery of these notes led NCIS to expand the scope of the search to include handwritten materials in all enemy combatant detainees' cells throughout the Guantanamo detention facility beginning on 14 June 2006. The purpose of the expanded search was to pursue logical investigative leads concerning the deaths of the three detainees and to determine whether other suicides were planned or likely to be planned. On 14 June 2006, the NCIS team recovered personal items and papers, including legal material and other correspondence. The NCIS collected the written materials, not for immediate review by the investigative team, but for review at a later time due to the large volume of materials that was recovered and the need for translators. Approximately 1100 pounds of materials/documents were recovered during the searches. The materials collected from each detainee's cell and effects were separately bagged for eventual sorting and review.
5. On 18 June 2006, NCIS personnel began sorting materials from bags pertaining to eleven detainees. This process involved separating Attorney Client Privileged information from non-privileged information, and conducting a preliminary scan of non-

privileged information for items that could be of evidentiary value. Several items were discovered that were deemed relevant to the investigation, including one that contained instructions on tying knots. In addition, in the materials recovered from one detainee's cell was an original JTF-GTMO generated email that appeared to contain classified or sensitive information regarding cell locations of detainees as well as details concerning camp operational matters. While examining other materials from the same detainee to determine whether there were other potentially classified U.S. Government documents, the NCIS investigators discovered three envelopes that were marked as attorney-client privileged information. I looked at the contents of the three envelopes and determined that one of them contained a document with a "Secret" stamp lined out and marked "Unclassified" by an unknown individual. A second envelope contained a typed document stamped "FOUO." The third envelope contained documents that did not bear any classification or special handling markings. Neither I nor any other member of the NCIS review team read any of the documents in the three envelopes. I then suspended further examination of the materials due to the volume of materials, the apparent multitude of foreign languages within the materials, and the need for guidance regarding the handling of purported attorney-client material.

I hereby declare under the penalties of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

DATED: 750166



Carol Kisthardt

EXHIBIT C

NCIS

ENCLOSURE (c7) 9

DECLARATION OF CAROL KISTHARDT

Pursuant to 28 U.S.C. § 1746, I, Carol Kisthardt, hereby declare:

1. I am the Special Agent in Charge, Southeast Field Office, Naval Criminal Investigative Service ("NCIS"). I have served in this position since May 2004. In this capacity I supervise all NCIS investigations within the jurisdiction of the Southeast Field Office, which includes the U.S. Naval Base at Guantanamo Bay, Cuba. This declaration is provided to supplement, and correct certain information in, my prior 7 July 2006 declaration. The information provided in this declaration is based on my personal knowledge or information supplied to me in my official capacity.
2. As noted in my prior declaration on or about 14 June 2006, the Naval Criminal Investigative Service (NCIS) team involved in investigating the 10 June 2006 detainee suicides at the U.S. Naval Base at Guantanamo Bay, Cuba, recovered personal items and papers, including legal material and other correspondence, of enemy combatant detainees in the Guantanamo detention facility. Approximately 1100 pounds of materials/documents were recovered during the searches.
3. The materials collected from each detainee's cell and effects were separately bagged for eventual sorting and review. As material was recovered, it was placed into either clear, plastic, resealable bags (approximately 12 x 12 inches in size) or into paper bags and labeled with information identifying the detainee (for example, the detainee's ISN, camp, cell block, cell number). These bags were then placed in large, brown paper bags (approximately the size of grocery bags, 21 x 12 x 6.75 in inches). The bags were safeguarded by NCIS during the collection process by being placed in a locked van at the detention facility. The bags were then transported by NCIS personnel to NCIS office spaces on the Base and afterward placed in cardboard boxes that were sealed with tape.

The building is alarmed.

The NCIS office spaces within the building have their own controlled entry security system. The boxes were thereafter placed into and are now stored in a locked and alarmed NCIS evidence room inside the NCIS office spaces. Only NCIS personnel are permitted access to the evidence room, through designated evidence custodians.

4. As noted in my 7 July 2006 declaration, on 18 June 2006, NCIS personnel began sorting a number of bags of collected materials. My prior declaration erroneously stated, however, that "materials from bags pertaining to eleven detainees" were sorted. In fact, however, materials from eleven of the paper bags containing detainee-specific bags of materials were sorted. These eleven bags were taken from the larger total number of paper bags containing the collected materials. This error in my prior declaration resulted from an inadvertent oversight with respect to the wording of my prior declaration.

5. The nature of the sorting process of the eleven large paper bags of materials involved separating any documents or envelopes containing documents that appeared even remotely to be possible Attorney Client Privileged information from information that gave no indication of being privileged, and conducting a preliminary scan of non-privileged information for items that could be of evidentiary value. Items were discovered that are described in my prior declaration. As noted in my prior declaration, however, while examining other materials from the detainee who had possession of the JTF-GTMO generated e-mail discovered, the NCIS investigators participating in the sorting found three envelopes that were marked as attorney-client privileged information. I looked at the contents of the three envelopes as described in my prior declaration, though neither I nor any other member of the NCIS review team read any of the documents in the three envelopes. Also during the sorting process, some of the non-privileged information could not be assessed because it was written in languages for

which translators were not present on the review team. As noted in my prior declaration, after this initial attempt at sorting of materials, I suspended any further examination of the collected materials, including those that were part of the initial sorting, due to the overall volume of materials, the apparent multitude of foreign languages within the materials, and the need for guidance regarding the handling of purported attorney-client material. No further review of the documents contained within the bags of collected materials has taken place.

5. I estimate that the eleven large paper bags contained detainee-specific bags from approximately 155 detainees total. The large paper bags were selected for sorting because they appeared to be among the lightest and least full of all the large paper bags; I estimate that the bags constituted approximately 10% by weight of the approximately 1100 pounds of materials collected, or roughly 110 pounds.

I hereby declare under the penalties of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

DATED: 11 AUG 06


Carol Kisthardt

Filter Team Procedure

I. Background

Various documents were seized from detainees by the Naval Criminal Investigative Service (NCIS) as part of an investigation into the apparently coordinated suicides of three detainees at Guantanamo Bay in June 2006. The investigation includes a determination of whether any other detainees or third parties were involved in encouraging, assisting or planning these or future suicide attempts by detainees. (See Declarations of Special Agent Carol Kisthardt and Admiral Harry Harris, at Appendix A).

Ultimately, NCIS seized all materials from the cells of many detainees. The 1,100 pounds of collected material includes paperwork and some of this paperwork is attorney-client privileged material (which includes communications between counsel and client as well as work product prepared by a detainee or counsel as part of the litigation). Before reviewing the paperwork (and thus reviewing attorney-client material), the government sought authorization from the federal court for its proposed review process.

The attorney-client privilege is a fundamental and important right in the American legal system. The United States District Court recognized, however, that the need to maintain safety and security within a wartime detention facility is also important. For this reason, the District Court judges overseeing some of the habeas cases have now authorized the government to review the seized documents that may be protected by the attorney-client privilege. Because other judges have not yet authorized the review for their cases, the materials of the detainees in those habeas cases should not be reviewed at this time. ~~A list of the detainees whose material can not be reviewed is found in~~
~~Appendix B.~~

This review, however, must be conducted with procedures that safeguard the attorney-client privilege. (See Appendix C for the District Court opinion).

II. Attorney Involvement with Detainees at Guantanamo

A variety of civilian and military attorneys have been provided access to detainees at Guantanamo over the past several years. Those attorneys have been meeting and communicating in writing with detainees through a "legal mail" process.

Starting in December 2003, military defense lawyers have been appointed to represent 10 detainees who have been charged with war crimes under the military commission process. (A list of the detainees who have commission cases pending and their attorneys has been provided to the Filter Litigation Team).

Starting in August 2004, civilian attorneys who represent detainees in federal habeas corpus proceedings have been permitted access to their clients at Guantanamo. (See Appendix D for a fact sheet regarding the history of the habeas corpus litigation. A list of the detainees who have habeas cases pending and their attorneys has been provided to the Filter Litigation Team). The attorneys' access to these detainees is governed by a Protective Order entered by the federal judges overseeing the habeas cases. (See Appendix E).

Although the members of the Filter Team must read and be familiar with the Amended Protective Order governing the habeas cases, the following information is highlighted:

- In order to have access to detainees at Guantanamo, all counsel (that terms includes attorneys, paralegals, translators, support staff, etc) must have a valid SECRET security clearance.
- Once the Protective Order has been entered in a habeas case, cleared counsel are permitted to correspond with their client through the "legal mail" process. The materials sent through this process are considered privileged and thus are not reviewed by the Department of Defense.
- "Legal mail" is defined as letters written between a detainee and his or her attorney, paralegal, translator, or support staff. It includes documents and correspondence that are sent to the detainee from the outside world, such as letters, cards, photographs, and other items. It does not include correspondence from the detainee to the outside world, such as letters, cards, photographs, and other items. It also does not include correspondence from the detainee to the outside world, such as letters, cards, photographs, and other items.
- The "legal mail" process cannot be used to send "correspondence or messages from a detainee to individuals other than his counsel (including family/friends or other attorneys)." Furthermore, "written communications from detainees shall not include... military... completed military... by any nation... directly related... of U.S. government personnel... the... other detainees... indirectly..."
- When counsel send legal mail to their clients, the only inspection of the materials is for a search for physical contraband (weapons, drugs, etc). Once that inspection is completed, the envelope is marked "Legal Mail approved by Privilege Team" and it is delivered to the detainee at Guantanamo. When (and after) the "legal mail" is delivered to a detainee, it is not reviewed by government personnel.

Subject to certain space limitations, it will remain in the detainee's cell for his review and use.

• Criminals are given access to classified material but are not permitted to use it for anything other than the defense. Thus, no classified information is found in a defendant's possession.

- All communications (written and oral) from a detainee to his lawyer are treated as presumptively SECRET/NOFORN and must be handled accordingly by the counsel. This is to prevent the inadvertent disclosure of classified material by the habeas counsel. If the counsel want to handle the material in any other way, the counsel will submit the material to a "Privilege Team" for a classification review. (Like the Filter Team, the Privilege Team is restricted from disclosing the contents of these communications, except in some limited circumstances.)

The habeas litigation has included a variety of counsel challenges to the conditions of detention, medical care problems, oppositions to transfers from Guantanamo and a variety of "collateral" matters.

Guidance on determining whether a document is covered by the attorney-client privilege is found at Appendix F.

III. General Instructions

In its authorization, the court cautioned the Filter Team to remember that the team must perform its task with the following restrictions:

- The Filter Team must keep meticulous records and maintain a chain of custody for every document reviewed. [REDACTED] described in the instruction that follows the Filter Team must ensure that each document that is reviewed, by whom it is reviewed, when it was reviewed, and where it is stored from those copies are disclosed, and to whom the documents were given. If disputes later arise as to how individual documents were treated, the Filter Team's records must clearly show who had access to the document, what determinations were made regarding its content, and to whom the document was given.
- The Filter Team must not disclose the contents of any attorney-client privileged materials to any individuals outside the Filter Team except for information pertaining to future

events that threaten national security or involve imminent violence. Such information may be disclosed only to the Department of Justice Filter Litigation Team.

The Department of Justice Filter Litigation Team (FLT) will be responsible for handling all attorney-client privileged materials that threaten national security or involve imminent violence. It is essential that the Filter Team only disclose such materials to the FLT. The Filter Team's point of contact at the FLT will be _____ should only be contacted as follows:

<INSERT CONTACT INSTRUCTIONS HERE>

Each member of the Filter Team will be assigned a unique identification number. When indicating in the team's records who reviewed a document, never use the Filter Team member's actual name. Always use the Filter Team members' ID number. This precaution is necessary to protect the privacy of the Filter Team members.

Each member of the Filter Team, after reading these instructions and prior to reviewing any documents, must sign the statement on the final page of this packet.

IV. Document Review Instructions

1. Remove the paper items from the bag.
2. **Apply Bates number to each document.** The Bates-numbers should be applied to every page in a document on which any writings, markings, drawings, or other text appears. Apply the Bates-numbers in a location as close to the bottom right hand corner of the page as possible, without obstructing the content of the document.
3. **Blank document review form must be filled out for each individual document.** If a document includes one or more attachments, such as a letter from an attorney to a detainee that includes a newspaper article, treat the letter and the article as a single document. Blank document review forms will be provided and an example form appears in the appendix of these instructions.
4. Examine the document. **Complete Document Review Form for each document.** In completing the form, describe the document in detail, including the date, time, and location of the document. If the document is a communication, describe the communication in detail, including the date, time, and location of the communication. The communication must be described in detail, but must not disclose the content of the communication.

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5. Three questions must be answered for each document:

- a. Does the document contain information pertaining to future events that threaten national security or involve imminent violence?**

If so, alter the Filter Litigation Team immediately.

- b. Is the document relevant to the NCIS investigation?**

- c. Is the document potentially protected by the attorney-client privilege?**

Documents are potentially protected by attorney-client privilege if they are correspondence or other written material in the possession of a detainee that appears to have been provided to that detainee by his attorney or created by the detainee to provide to or communicate with his attorney.

Any materials created by the detainee that appear to be intended for his attorney will be processed as if they are attorney-client material. This may include hand-written notes on documents that would not be considered attorney-client privileged without the notes. Some documents prepared by the detainee will be written on paper that has been stamped with a marking indicating that the document is attorney-client privileged, even though the contents of the document would not be considered attorney-client privileged if it appeared on paper without the stamp. Such documents at the outset should be considered to be attorney-client material unless determined otherwise by further evaluation. See Appendix F for further guidance regarding the determination of attorney-client privilege.

Some material may appear to be attorney-client material but also may appear to violate the parameters of the Protective Order. If the information is also deemed to be relevant to the investigation, the Filter Team should inform the Filter Litigation Team of this apparent violation when forwarding the document. If the information is deemed to not be relevant to the investigation, the material should be forwarded to the Filter Litigation Team.

NOTE: When it is unclear whether or not a document should be considered attorney-client material, the document should be presumed to be privileged.

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6. For all documents that do not contain information relating to future acts of imminent violence or that threaten national security, sort the documents into four categories as noted below:

- a. Category 1: Documents that are relevant to the NCIS investigation *AND* are also attorney-client privileged.
- b. Category 2: Documents that are not relevant to the NCIS investigation but are attorney-client privileged.
- c. Category 3: Documents that are relevant to the NCIS investigation and are not attorney-client privileged.
- d. Category 4: Documents that are not relevant to the NCIS investigation and are not attorney-client privileged.

		Is the document relevant to the NCIS investigation?	
		Yes	No
Is the document protected by the Attorney-client privilege?	Yes	Category 1 Relevant & Privileged (Contact Filter Litigation Team)	Category 2* Irrelevant & Privileged (Return to Detainee)
	No	Category 3 Relevant & Not Privileged (Provide to NCIS)	Category 4 Irrelevant & Not Privileged (Return to JTF-GTMO)

7. Indicate the Category into which the document was placed on the document review form and place the document with the other documents placed in the same Category.

8. The document review form has an additional place for the Filter Team member to indicate any other information, notes, or comments that are deemed relevant. The reviewer should indicate any contact that he/she has with individuals outside the Filter Team in regard to the document here. For instance, the reviewer might contact a member of NCIS to ask a clarifying question without revealing the content of a document. This contact must be indicated on the document review form.

9. Once all of the documents from a single detainee have been reviewed, secure all of the documents in each Category with a rubber band or other fastener as appropriate and place them in accordion redwell folders in preparation for transfer.

All of the document review forms should be arranged in the order of the Bates-numbers of the documents to which they pertain. Secure the forms with a fastener and placed the forms in their own redwell folder.

10. Either retain the documents or transfer the documents to the DOJ Filter Litigation Team, to NCIS, to the detainee, or to JTF-GTMO based on the Category, as required.¹

Category 1:

The Filter Team will retain the Category 1 documents until it receives specific written instructions regarding their disclosure from the Department of Justice Filter Litigation Team (FLT).

The Filter Team must contact the FLT regarding all documents in Category 1, and may only disclose the documents or their contents to the FLT. The FLT will contact detainee's counsel for consent to disclosure of the documents to NCIS and/or will submit a filing under seal to the Court Security Officer (CSO) requesting permission for the documents to be disclosed to NCIS.

No disclosure of Category 1 documents may be made by the Filter Team prior to receiving documented consent of detainee's counsel or court approval.

- b. **Category 2:** If the information does not appear to violate the parameters of the Protective Order, the filter team must return all documents in Category 2 directly to the detainee. The documents should not be disclosed to JTF-GTMO command or to NCIS.

If it appears that the information violates the parameters of the Protective Order, the document must be forwarded to the Filter Litigation Team. The documents should not be disclosed to JTF-GTMO command or to NCIS.

c. Category 3:

The filter team should disclose all documents in Category 3 directly to NCIS. When NCIS has completed its investigation, the documents should be returned to JTF-GTMO for redistribution to the detainees to whom the documents belong, as appropriate.

- d. **Category 4:** The filter team should return all documents in Category 4 directly to JTF-GTMO. JTF-GTMO should return the documents to the detainees to whom the documents belong, as appropriate.

¹ Note that the NCIS agent members of the Filter Team will be responsible for the physical handling of the documents as part of mailing them to the appropriate receiving authority.

11. Once the documents have been transferred out of the possession of the Filter Team, indicate on each document review form to whom the document was transferred and the date of transfer.

Appendices:

- A. Declarations of Special Agent Carol Kiskhardt and Admiral Harry Harris**
- B. List of detainees whose materials can be reviewed**
- C. Judge Robertson's Opinion regarding the review**
- D. Habeas litigation fact sheet**
- E. Habeas case protective order**
- F. Guidance regarding attorney-client determination**

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Khadar v. Bush	: Civil Action No. 04-1136 (JDB)
Anam v. Bush	: Civil Action No. 04-1194 (HHK)
Abdah v. Bush	: Civil Action No. 04-1254 (HHK)
Al Qosi v. Bush	: Civil Action No. 04-1937 (PLF)
Paracha v. Bush	: Civil Action No. 04-2022 (PLF)
Deghayes v. Bush	: Civil Action No. 04-2215 (RMC)
Mustapha v. Bush	: Civil Action No. 05-0022 (JR)
Al Mohammed v. Bush	: Civil Action No. 05-0247 (HHK)
El-Mashad v. Bush	: Civil Action No. 05-0270 (JR)
Al-Wazan v. Bush	: Civil Action No. 05-0329 (PLF)
Al-Anazi v. Bush	: Civil Action No. 05-0345 (JDB)
Batarfi v. Bush	: Civil Action No. 05-0409 (EGS)
Qayed v. Bush	: Civil Action No. 05-0454 (RMU)
Al-Shihry v. Bush	: Civil Action No. 05-0490 (PLF)
Aziz v. Bush	: Civil Action No. 05-0492 (JR)
Al-Oshan v. Bush	: Civil Action No. 05-0520 (RMU)
Tumani v. Bush	: Civil Action No. 05-0526 (RMU)
Salahi v. Bush	: Civil Action No. 05-0569 (JR)
Errachidi v. Bush	: Civil Action No. 05-0640 (EGS)
Aboassy v. Bush	: Civil Action No. 05-0748 (RMC)
Habashi v. Bush	: Civil Action No. 05-0765 (EGS)
Khiali-Gul v. Bush	: Civil Action No. 05-0877 (JR)
Muhibullah v. Bush	: Civil Action No. 05-0884 (RMC)

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Wahab v. Bush	: Civil Action No. 05-0886 (EGS)
Gul v. Bush	: Civil Action No. 05-0888 (CKK)
Sohail v. Bush	: Civil Action No. 05-0993 (RMU)
Tohirjanovich v. Bush	: Civil Action No. 05-0994 (JDB)
Al Karim v. Bush	: Civil Action No. 05-0998 (RMU)
Sarajuddin v. Bush	: Civil Action No. 05-1000 (PLF)
Mohammed v. Bush	: Civil Action No. 05-1002 (EGS)
Mangut v. Bush	: Civil Action No. 05-1008 (JDB)
Hamad v. Bush	: Civil Action No. 05-1009 (JDB)
Zuhoor v. Bush	: Civil Action No. 05-1011 (JR)
Al-Hela v. Bush	: Civil Action No. 05-1048 (RMU)
Mousovi v. Bush	: Civil Action No. 05-1124 (RMC)
Khalifh v. Bush	: Civil Action No. 05-1189 (JR)
Zalita v. Bush	: Civil Action No. 05-1220 (RMU)
Ahmed v. Bush	: Civil Action No. 05-1234 (EGS)
Ghalib v. Bush	: Civil Action No. 05-1238 (CKK)
Bukhari v. Bush	: Civil Action No. 05-1241 (RMC)
Saib v. Bush	: Civil Action No. 05-1353 (RMC)
Hatim v. Bush	: Civil Action No. 05-1429 (RMU)
Al-Subaiy v. Bush	: Civil Action No. 05-1453 (RMU)
Sadkhan v. Bush	: Civil Action No. 05-1487 (RMC)
Faizullah v. Bush	: Civil Action No. 05-1489 (RMU)
Faraj v. Bush	: Civil Action No. 05-1490 (PLF)
Khan v. Bush	: Civil Action No. 05-1491 (JR)

Kiyemba v. Bush	: Civil Action No. 05-1509 (RMU)
Idris v. Bush	: Civil Action No. 05-1555 (JR)
Rabbani v. Bush	: Civil Action No. 05-1607 (RMU)
Almerfedi v. Bush	: Civil Action No. 05-1645 (PLF)
Kabir (Sadar Doe) v. Bush	: Civil Action No. 05-1704 (JR)
Al-Rubaish v. Bush	: Civil Action No. 05-1714 (RWR)
Al-Qahtani v. Bush	: Civil Action No. 05-1971 (RMC)
Alkhemisi v. Bush	: Civil Action No. 05-1983 (RMU)
Gamil v. Bush	: Civil Action No. 05-2010 (JR)
Al-Shabany v. Rumsfeld	: Civil Action No. 05-2029 (JDB)
Mohammed Othman v. Bush	: Civil Action No. 05-2088 (RWR)
Al-Mudafari v. Bush	: Civil Action No. 05-2185 (JR)
Alhag v. Bush	: Civil Action No. 05-2199 (HHK)
Al-Shimrani v. Bush	: Civil Action No. 05-2249 (RMC)
Al Sharbi v. Bush	: Civil Action No. 05-2348 (EGS)
Zadran v. Bush	: Civil Action No. 05-2367 (RWR)
Alsaaei v. Bush	: Civil Action No. 05-2369 (RWR)
Razakah v. Bush	: Civil Action No. 05-2370 (EGS)
Al-Ghizzawi v. Bush	: Civil Action No. 05-2378 (JDB)
Awad v. Bush	: Civil Action No. 05-2379 (JR)
Al Halmandy v. Bush	: Civil Action No. 05-2385 (RMU)
Al Salami v. Bush	: Civil Action No. 05-2452 (PLF)
Hussein v. Bush	: Civil Action No. 05-2467 (PLF)
Al-Delebany v. Bush	: Civil Action No. 05-2477 (RMU)

Al-Harbi v. Bush

: Civil Action No. 05-2479 (HHK)

MEMORANDUM ORDER

In each of the Guantanamo Bay habeas cases pending in this Court, the government has moved for approval of its plan for reviewing documents seized from detainees as part of an investigation of three apparently coordinated suicides in June 2006. The plan calls for the use of a "Filter Team," walled off from government investigators and prosecutors, that would review the seized materials and set aside anything arguably protected by the attorney-client privilege. The motion is strongly opposed by the petitioner detainees, many of whom have cross-moved for the return of documents that have been impounded, or for contempt sanctions, or both. After considering the briefs of the parties and reviewing the transcript of a lengthy hearing on the same motion before Judge Richard Leon in August 2006, I have decided to grant the government's motion. This ruling will be without prejudice to petitioners' cross-motions, which will be taken up and decided at a later time. The reasons for my decision are set forth below. My order will apply in each of the above-captioned cases.¹

¹In the Guantanamo habeas cases assigned to them, Judges Friedman, Urbina, Sullivan, Kennedy, Kollar-Kotelly, Roberts, Bates and Collyer have transferred the government's motion to me for decision.

BACKGROUND

In most of the Guantanamo habeas cases, communications between detainees and their counsel are governed by a protective order.¹ The protective order facilitates counsel's access to their detainee clients with an eye to protecting national security interests. Am. Prot. Order ¶ 2. It sets forth procedures for all contact between detainees and their counsel, as well as rules governing counsel's exposure to classified information. An implicit premise of the protective order is that communication between detainees and their counsel enjoys the protection of the attorney-client privilege. See Am. Prot. Order ¶ 28 (noting that the presence of security officials "shall not operate as a waiver of, limit, or otherwise render inapplicable, the attorney-client privilege or work product protections.").

Annexed to the protective order are Revised Procedures for Counsel Access. These procedures address the logistics of counsel visits and attorney-client mail in greater detail. Again, the attorney-client privilege is referenced only indirectly, such as in the definition of legal mail. See Am.

¹Amended Protective Order & Procedures for Counsel Access to Detainees at the U.S. Naval Base in Guantanamo Bay, Cuba ("Am. Prot. Order"), originally entered by Judge Joyce Hens Green in fourteen of the Guantanamo detainee cases. See Hamdan v. Rumsfeld, 04cv1519, Am. Prot. Order (Dkt. No. 58); Order (Dkt. No. 68). The Amended Protective Order has since been entered in the cases of most other habeas petitioners. See, e.g., Khalifh et al v. Bush et al, 05cv1189, Order (Dkt. No. 8).

Prot. Order Ex. A.II.E. (legal mail includes "privileged documents"). Legal mail sent by counsel to detainees is to be opened by a "Privilege Team" that searches the mail for prohibited physical contraband. Compliant mail is to be forwarded to military personnel in sealed and marked envelopes; GTMO personnel are then to deliver these envelopes to the recipient detainee without opening them. Am. Prot. Order Ex. A. IV.A.3-4. The Revised Procedures also include rules for material that is taken in and out of legal meetings, classification review of information communicated by detainees to counsel, provision of paper for the drafting of legal mail by detainees, and the circumstances under which phone calls between detainees and counsel may be permitted.

On June 10, 2006, three Guantanamo detainees were discovered dead in their cells. Respt's Mot. For Procedures Related to Review of Certain Detainee Materials & Req. For Expedited Briefing at 3 ("Respt's Mot."). News reports suggest that the three detainees hanged themselves using torn bed sheets. Id.² The triple suicides were the most recent and extreme incidents in a string of detainee security violations at the Guantanamo Bay facility. On May 18, 2006, several detainees in a

²Citations to the parties' pleadings incorporate the sources relied upon therein. Oddly, but perhaps to shield the names of witnesses having first-hand knowledge, the government's citations supporting the fact of the suicides are to media accounts.

communal housing facility ambushed and assaulted Guantanamo guards with makeshift weapons; on the same day, two Guantanamo Bay detainees overdosed on medications provided by the facility. Id. at 4. Guantanamo personnel have since uncovered systematic, unauthorized stockpiling of medications by detainees. Id.

The NCIS began investigating the apparent suicides immediately.³ Declaration of Special Agent in Charge Carol Kisthardt ¶ 3 ("Kisthardt Decl."). Investigators started searching the cells of the deceased detainees. Id. They found what appeared to be handwritten suicide notes on the bodies of the three detainees. Id. Another handwritten note related to the suicides was discovered in a mesh wall of one of the deceased detainees' cells. Id. The note discovered in the wall was "written in Arabic on notepaper that had been stamped 'Attorney Client Privilege,'" and the name used by the author differed from the name of the deceased detainee who had lived in the cell.⁴ Id.

Investigators then broadened their search to include other occupied cells in the same cellblock. Id. While searching

³Since "the U.S. Navy has primary jurisdiction over Guantanamo Bay," the NCIS is responsible for criminal investigations into all deaths occurring at the Guantanamo Bay facility. Respt's Mot. at 4.

⁴Before discovering possible abuses of the legal mail system, JTF-GTMO authorities allowed habeas counsel to provide detainees with paper for drafting legal mail. Respt's Mot. at 5.

the cellblock, investigators discovered handwritten notes they believed to be relevant, "potentially authored by at least two of the deceased detainees," in the cell of a detainee other than the three suicide victims. According to Special Agent Kisthardt, many of these notes were written on stationery stamped with indicia of privilege: "Attorney-Client Communication," "Privileged and Confidential," etc. Id.

After discovering three notes on the bodies of the deceased, one suicide-related note in the cell one of the deceased, and a number of relevant notes in a fourth cell on the same cellblock, the NCIS decided to "expand the scope of the search." Id. ¶ 4. According to Special Agent Kisthardt, the purpose of the expanded search was to "pursue logical investigative leads concerning the deaths of the three detainees and to determine whether other suicides were planned or likely to be planned." Id. The expansion of the search was quite dramatic: NCIS investigators seized all materials from the cells of all detainees in the entire Guantanamo facility.⁵ The materials collected weighed 1,100 pounds and included "personal

⁵While this was unquestionably a massive search and seizure, it is not clear whether the seizure involved "all materials in all enemy combatant detainees' cells," as described in the government's motion, or "all handwritten materials in all enemy combatant detainees' cells" (emphasis added) as described in the affidavit of Carol Kisthardt. Compare Kisthardt Decl. ¶ 4 with Respt's Mot. at 6.

items and papers, including legal material and other correspondence." Id.

NCIS investigators sorted the seized materials and placed them into small bags labeled with detainee-identifying information such as inmate number, camp, cell block, and cell number. Supp. Dec. Carol Kisthardt ¶ 3 ("Kisthardt Supp. Decl."). These small bags were then put into grocery-sized paper bags. Id. Eventually the larger bags were taken to NCIS offices and placed in sealed cardboard boxes in a secure setting. Id. On June 18, 2006, NCIS investigators began sorting through the bags. Id. at ¶ 4.

The scope of the initial sort is the subject of some controversy. On July 7, 2006, the government represented that "materials from bags pertaining to eleven detainees" were sorted. Kisthardt Decl. ¶ 5. Over a month later, the government filed a Supplemental Memorandum correcting this assertion. In fact, the detainee-specific bags of "approximately 155 detainees" were searched. Kisthardt Supp. Decl. ¶ 5. Investigators had not searched the materials of eleven detainees, as originally claimed, but had searched eleven bags containing material belonging to 155 detainees. Id.

Materials contained in the first eleven grocery bags were sorted as follows: materials "that appeared even remotely to be possible Attorney Client Privileged information" were placed

in one pile, and materials with no indicia of privilege were placed in a second pile. Kisthardt Supp. Decl. ¶ 5. Materials deemed non-privileged were scanned for potential relevance to the suicide investigation. Id. Among the materials in this category, investigators discovered two items they considered relevant: a document containing information on tying knots, and, from a different cell, a "JTF-GTMO generated email that appeared to contain classified or sensitive information regarding cell locations of detainees as well as details concerning camp operational matters." Kisthardt Decl. ¶ 5. While searching through other materials taken from the cell in which the JTF-GTMO generated email had been found, NCIS found three envelopes marked attorney-client privileged. Id. Special Agent Kisthardt opened these envelopes and "looked at" but did not read the contents. Id. One contained a document with a "Secret" stamp crossed out and "Unclassified" written in its place, a second contained a document marked "FOUO" (presumably, for official use only), and a third contained documents without notable markings. Id. It was at this point that NCIS - faced with difficulties such as the multitude of languages represented in the documents, the large volume of materials, and the need for guidance in handling privileged materials - suspended further examination of the impounded materials. Id.

The government's own account of NCIS's activities paint a picture of an investigation that has been scattershot and disorganized. Not only did the government provide inconsistent accounts of what types of materials were impounded and the scope of its initial examination of those impounded materials, but it was more than a month before the government advised the court of its dramatic underestimate of the initial document review. Agent Kisthardt's attribution of this error to an "inadvertent oversight with respect to the wording of [the] prior declaration," Kisthardt Supp. Decl. ¶ 4, does not inspire confidence. Nor does Agent Kisthardt's explanation of how investigators chose the first eleven bags to sort: they were chosen because they "appeared to be among the lightest and least full." Id. ¶ 5. The petitioners' allegations of illogical, inconsistent, and perhaps improper activities on the part of NCIS up to this point are for another day, however. The question of whether and how NCIS may proceed from this point forward with its review of the 1,100 pounds of seized material is more pressing.

The government asks the Court to "establish procedures authorizing the review of impounded materials" that may be potentially subject to the attorney-client privilege and proposes the procedures it has in mind. Respt's Mot. at 1. A "Filter Team" would review and sort the impounded materials for relevance and for privilege. The Filter Team would have the same

qualifications required of the Privilege Team, Access Procedures §§ II.D, and would include Department of Defense attorneys or Navy JAG attorneys and "other personnel and translators who have not and will not take part in litigation or other proceedings involving detainees, and who will operate under appropriate non-disclosure obligations." Respt's Mot. at 1-2.

The Filter Team would sort through the impounded materials with the following mandates: (1) material found to be irrelevant to the NCIS investigation will be returned to the detainee "if privileged attorney-client communication, or, otherwise, to JTF-Guantanamo for appropriate action;" (2) material found to be non-privileged and potentially relevant will be turned over to NCIS investigators; (3) material found to be at least arguably privileged and potentially relevant will be presented to the court and to detainee's counsel: such material will not be disclosed to anyone else without consent of counsel or court authorization. Respt's Mot. at 10-11. Like the Privilege Team created by the Access Procedures, the Filter Team would be permitted to disclose immediately any information regarding "an immediate and substantial harm to national security" or "imminent acts of violence" to officials involved in responding to such violence. See Access Procedures §§ VII. A., D.-F.

JURISDICTION

Judge Leon's decision in Boumediene v. Bush, No. 04-1166, 2006 WL 2468077 (D.D.C. Aug. 28, 2006), was that, in those of his cases that are pending on appeal, he lacked jurisdiction to act; in cases in which the protective order was never entered, he had no basis on which to act; and, in cases that have been stayed pending the outcome of the overarching jurisdictional issues on appeal, prudential deference counseled against his exercise of jurisdiction. Id. at *1.

The jurisdictional picture is admittedly cloudy. The Court of Appeals has several cases before it addressing the rights of detainees at Guantanamo. See, e.g., In re Guantanamo Detainee Cases, 355 F. Supp. 2d 443 (D.D.C. 2005), Khalid v. Bush, 355 F. Supp 2d 311 (D.D.C. 2005). Among the questions currently pending on appeal is the scope of the jurisdiction-stripping provisions of the Detainee Treatment Act of 2005 ("DTA"), signed into law on December 30, 2005, Pub.L. 109-148, 119 Stat. 2739, in light of the Supreme Court's decision in Hamdan v. Rumsfeld, 126 S. Ct. 2749 (2006).

The DTA, among other things, amended 28 U.S.C. § 2241 to eliminate federal court jurisdiction over the habeas petitions of Guantanamo detainees, DTA § 1005(e)(1), and vested exclusive jurisdiction in the Court of Appeals for the D.C. Circuit to review "final decision[s]" of military commissions or the combatant status review tribunals. Id. § 1005(e)(2), (3).

Following the enactment of the DTA, the government argued in the Court of Appeals that this court no longer had jurisdiction over any habeas claims filed by Guantanamo detainees. Detainees' counsel argued that the DTA's jurisdictional provisions do not apply to habeas petitions that were pending prior to the DTA's enactment. In June 2006, before the Court of Appeals could decide the issue, the Supreme Court handed down its Hamdan decision, holding, among other things, that section 1005(e)(1) of the DTA did not strip federal courts of all jurisdiction over habeas petitions pending prior to the DTA's enactment, at least not pending habeas cases, like Hamdan's, that do not challenge "final decision[s]" of military commissions or the combatant status review tribunals. Hamdan, 126 S. Ct. at 2769. However, the Court did not decide whether the DTA vested exclusive jurisdiction in the Court of Appeals over habeas cases pending before the enactment of the DTA that do challenge "final decision[s]" of military commissions or the combatant status review tribunals. Id. at 2769, n.14. Until this question is resolved, the jurisdiction of this court over pending habeas claims remains unclear.

Although the government has consistently challenged district court jurisdiction in the Guantanamo cases since the enactment of the DTA, it is the government that has come with these motions, seeking guidance "as a prophylactic matter." Mot.

Hr'g Tr. at 10, Aug. 16, 2006. The government's motion does not assert that the district court lacks jurisdiction to rule. Instead, it asserts that its request for a ruling is "without prejudice" to its jurisdictional position. Respt's Mot. at 2, n.3. Moreover, although the filing of an appeal is "an event of jurisdictional significance," Griggs v. Provident Consumer Discount Co., 459 U.S. 56, 58 (1982), district courts retain jurisdiction in appealed cases to deal with ancillary matters that do not impinge upon the subject of the appeal. "The filing of a notice of appeal...divests the district court of its control over those aspects of the case involved in the appeal." Id. (emphasis added). District courts retain jurisdiction over aspects of the case that are not involved in the appeal. See, e.g., United States v. Queen, 433 F.3d 1076, 1078 (8th Cir. 2006); Securities Industry Ass'n v. Board of Governors of Federal Reserve System, 628 F.Supp. 1438, 1440 n.1 (D.D.C. 1986) (district courts retain jurisdiction to issue orders regarding injunctions). See also 20 James Wm. Moore, Moore's Federal Practice, § 303.32[2][c] (3d ed.2006). The government's request to review detainee material is unrelated to the question of which court has jurisdiction to review the merits of petitioners' challenges to their detention.

The "prudential deference" rationale of Judge Leon's decision is acknowledged with respect, but my idea of prudence is

to give the government the guidance it seeks. If jurisdiction has been improperly asserted, the Court of Appeals will correct the error. If I do have jurisdiction, both sides will be better off having received judicial guidance sooner rather than later.

ATTORNEY-CLIENT PRIVILEGE

The attorney-client privilege is the oldest of the privileges for confidential communications known to the common law. Upjohn Co. v. United States, 449 U.S. 383, 389 (1981); Hunt v. Blackburn, 128 U.S. 464, 470 (1888). The privilege exists to encourage "full and frank communication between attorneys and their clients." Upjohn, 449 U.S. at 389. The Supreme Court has long recognized that the privilege is "founded upon the necessity, in the interests and administration of justice, of the aid of persons having knowledge of the law and skilled in its practice, which assistance can only be safely and readily availed of when free from the consequences or the apprehension of disclosure." Hunt, 128 U.S. at 470.

The privilege has been associated with the constitutional right of prisoners to have access to the courts, Bounds v. Smith, 430 U.S. 817 (1977); Lewis v. Casey, 518 U.S. 343 (1996), including the right of a prisoner to communicate privately with his attorney. Mann v. Reynolds, 46 F.3d 1055, 1061 (10th Cir. 1995) (invalidating prison policy preventing contact visits between inmates and attorneys because prison

"policies will not be upheld if they unnecessarily abridge the defendant's meaningful access to his attorney and the courts. The opportunity to communicate privately with an attorney is an important part of that meaningful access.") (quoting Ching v. Lewis, 895 F.2d 608, 609 (9th Cir.1990)); Bach v. Illinois, 504 F.2d 1100, 1102 (7th Cir.1974) ("An inmate's need for confidentiality in his communications with attorneys through whom he is attempting to redress his grievances is particularly important. We think that contact with an attorney and the opportunity to communicate privately is a vital ingredient to the effective assistance of counsel and access to the courts."); Adams v. Carlson, 488 F.2d 619, 631 (7th Cir. 1973) (recognizing "that the effective protection of access to counsel requires that the traditional privacy of the lawyer-client relationship be implemented in the prison context."); Goff v. Nix, 113 F.3d 887, 892 (8th Cir. 1997) ("The taking of an inmate's legal papers can be a constitutional violation when it infringes his right of access to the courts. The taking of legal papers will often (though perhaps not always) interfere with an inmate's right of access to the courts."); Davis v. Goord, 320 F.3d 346, 351 (2d Cir. 2003) ("Interference with legal mail implicates a prison inmate's rights to access to the courts and free speech as guaranteed by the First and Fourteenth Amendments to the U.S. Constitution.").

The question of whether non-citizen detainees at Guantanamo have any constitutional protections, and, if so, what they are, is also now before the Court of Appeals. See Khalid v. Bush, 355 F. Supp. 2d 311, 323 (D.D.C. 2005) (appeal pending); In re Guantanamo Detainee Cases, 355 F. Supp. 2d 443, 464 (D.D.C. 2005) (appeal pending). Even if these petitioners have no constitutional protections, however, the attorney-client privilege is of paramount importance for the promotion of "broader public interests in the observance of law and administration of justice." Swidler & Berlin v. United States, 524 U.S. 399, 403 (1998), quoting Upjohn, 449 U.S. at 389. The government indeed does not deny that petitioners have a right to counsel, or that the privilege is applicable at Guantanamo, nor has it challenged Judge Kollar-Kotelly's holding that it "is not entitled to unilaterally impose procedures that abrogate the attorney-client relationship and its concomitant attorney-client privilege covering communications between them." United States v. Al Odah, 346 F. Supp.2d 1, 5 (2004). The question, then, is not whether the attorney-client privilege exists at Guantanamo, but whether it is violated (or, using the petitioners' word, "abrogated") by the government's proposed procedures for reviewing detainee materials.

The scope of the attorney-client privilege is "guided by 'the principles of the common law . . . as interpreted by the

courts . . . in the light of reason and experience.'" Swidler at 403, citing Fed. Rule Evid. 501, Funk v. United States, 290 U.S. 371 (1933). Traditionally, the privilege applies to confidential communications between the client and his or her attorney made in order to obtain legal advice. Fisher v. United States, 425 U.S. 391, 403 (1976); 3 Jack B. Weinstein & Margaret A. Berger, Weinstein's Federal Evidence, § 503.10 (Joseph M. McLaughlin, ed., Matthew Bender 2d ed. 1997). The privilege covers much more than "any sort of admission of criminal wrongdoing," and includes "matters which the client would not wish divulged," Swidler at 408. There is no balancing test to define its contours. Id. at 409.

The privilege has limits, however. It protects "only those disclosures necessary to obtain informed legal advice which might not have been made absent the privilege," Fisher v. United States, 425 U.S. 391 (1976), and it "cannot stand in the face of countervailing law or strong public policy and should be strictly confined within the narrowest possible limits underlying its purpose." United States v. Goldberger & Dubin, P.C., 935 F.2d 501, 504 (2d Cir. 1991). Moreover, the privilege is subject to exceptions. The privilege does not apply to communications made in furtherance of committing a crime. United States v. Zolin, 491 U.S. 554, 562-63 (1989); Weinstein's Federal Evidence, § 503.31. It is also subject to a testamentary exception, under

which disclosure of otherwise privileged communications may be permitted after the client's death in order to settle disputes about the client's intent for his estate. Swidler, 524 U.S. at 405; Glover v. Patten, 165 U.S. 394, 406-408 (1897).¹

The hearing before Judge Leon illuminated the kinds of documents currently in the possession of NCIS that may indeed be privileged. Mot. Hr'g Tr. at 66-68, Aug. 16, 2006.²

Communications from attorneys to detainees are likely to be typed and easily identifiable as such. Harder to identify will be papers that are, or are intended to be, communications from detainees to their attorneys. These are likely to be handwritten in a language other than English. Some of them may bear the names and addresses of counsel, but others may be notes or journals, made for the purpose of communicating information to their attorneys. Id. Such documents would be difficult for

¹At least three other exceptions have been recognized. The privilege is inapplicable to communications relevant to a breach of duty between an attorney and client, to communications regarding an attested document to which the attorney is an attesting witness, and to communications relevant to a matter of common interest between joint clients, when offered in an action between the clients. See generally Weinstein's Federal Evidence, § 503.21, § 503.33-503.34.

²I believe it appropriate to take judicial notice of the proceedings before Judge Leon. Scheduling and conducting another hearing on ground he has already covered would consume time and resources unnecessarily.

anyone but the detainee and his lawyer to identify as a privileged communication, if indeed they are privileged.³

PARTICULARIZED SHOWING VS. LEGITIMATE PENOLOGICAL INTEREST

Petitioners' first objection to the government's proposed procedures is that the government has not made a specific, individualized showing that there is a sufficiently compelling justification for invading the privilege. Petitioners have cited no direct authority for the specific, individualized showing they say is required. They support their point only by analogy to cases addressing the crime-fraud exception to the attorney-client privilege. See, e.g., Pet. Opp. to Respt's Mot. at 15-16 (No. 04-1254 Dkt. No. 177) ("Pet. Opp.").

The crime-fraud cases are inapposite. They may become important at a later stage, if the filter team uncovers evidence that would support in camera review, see Zolin, 491 U.S. at 572, or the invocation of the crime-fraud exception. At this point, however, the correct question is whether the government has demonstrated a "legitimate penological interest" in seizing and

³A question recently answered in the negative by the Second Circuit is whether notes intended for an attorney are privileged if their content has not yet been communicated to the attorney. The privilege requires an attorney-client communication. "A rule that recognizes a privilege for any writing made with an eye toward legal representation would be too broad...an outline of what a client wishes to discuss with counsel—and which is subsequently discussed with one's counsel—would seem to fit squarely within our understanding of the scope of the privilege." U.S. v. DeFonte, 441 F.3d 92, 94 (2d Cir. 2006) (emphasis added).

reviewing documents that may contain privilege, using procedures that may be expected to result in some inadvertent exposure of privileged material. Turner v. Safley, 482 U.S. 78, 89 (1987).

Courts have long deferred to actions of prison officials that are "reasonably related to legitimate penological interests." Kimberlin v. U.S. Dept. of Justice, 318 F.3d 228, 233 (D.C. Cir. 2003); Turner, 482 U.S. at 89; see also Overton v. Bazzetta, 593 U.S. 126 (2003) (courts owe "substantial deference to the professional judgment of prison administrators."). If and to the extent that constitutional protections are implicated by the government's proposed filter team review, a Turner-like analysis is instructive.

Most of the Turner test does not fit the context of these cases, but the "most important element" - a "valid, rational connection to the legitimate governmental interest put forward to justify it" - certainly does. Kimberlin, 318 F.3d at 233, quoting Amatel v. Reno, 156 F.3d 192, 196 (D.C. Cir. 1998), citing Turner, 482 U.S. at 89-90, (internal quotations omitted). The occasion of several closely-spaced incidents culminating in orchestrated suicides in a detainee population believed to be secretive and violent provoked a command decision to search every cell for documentary evidence of a widespread conspiratorial effort. The governmental interest, of course, is in discovering any plot and interdicting future incidents. The connection is

rational. This court will not second-guess the command decision.

The remaining elements of the Turner test have to do with identifying alternative means of exercising the "circumscribed right" and balancing the loss or diminution of that right against the cost to the prison of accommodating that right. Amatel v. Reno, 156 F.3d 192, 196 (D.C. Cir. 1998), citing Turner, 482 U.S. at 90. The "right" in this case - if the Turner test applies at all - would be the right of access to the courts. At worst, that right is burdened, or its exercise chilled, by the seizure and review of documents. Accommodating alternative means of exercising that right, by allowing petitioners' counsel or a special master to conduct an initial review of the impounded materials, would be logistically complex and - given the exigencies of the NCIS investigation - unacceptably time-consuming. For these reasons, I find that the proposed procedures are reasonably related to the legitimate penological interest in investigating the detainee suicides and thwarting future prison disruption.

OBJECTIONS TO THE FILTER TEAM

Petitioners next point out that "taint teams" are judicially disfavored. They cite and rely on Judge Koeltl's opinion and order in United States v. Stewart, 2002 WL 1300059 (S.D.N.Y. June 11, 2002), rejecting a government proposal for a

"privilege team" after considering the views of "at least three courts" that "opined, in retrospect, that the use of other methods of review would be better." The Stewart case involved a warrant to search materials in a law office, the possibility that privilege team lawyers would encounter privileged materials from their own (different) cases, and a relatively small volume of documents. Judge Koeltl did not conclude that a privilege team can never be an appropriate method for screening documents that may be privileged. His problem in that case, like the problem in these cases, was to fit the method of review to the situation. His solution -- to appoint a special master to do the job -- made sense in the context of the case before him.

The Sixth Circuit was more pointed in its recent opinion in In re Grand Jury Subpoenas 04-124-03 and 04-124-05, Nos. 05-2274/2275, __ F.3d __, 2006 WL 1915386, (6th Cir. 2006). Reviewing examples of both inadvertent and malicious violations of taint team non-disclosure rules and inaccuracies in privilege determinations, the court concluded that taint teams "pose a serious risk to holders of privilege." Id. at 10. In that case, targets of a grand jury fraud investigation were allowed to conduct a privilege review of documents before turning them over in response to a subpoena. At the outset of its discussion, however, the Sixth Circuit acknowledged that taint teams are typically used in "exigent circumstances" when the "potentially-

privileged documents are already in the government's possession" -- words that did not describe the case before it, but that do provide a reasonably accurate thumbnail sketch of the cases now before me. Id.

Petitioners are undoubtedly correct in arguing that the government's Filter Team will not be able to recognize privileged, possibly privileged, and non-privileged materials with complete accuracy. See Mot. Hr'g Tr. at 66-68. Consider the (likely abundant) example of notes handwritten in many languages. Even if these notes are all translated into English, it is unlikely to be evident whether they were made in preparation for a meeting with counsel, or actually communicated to counsel,⁴ or memorialize a prior conversation with counsel. Even the most cautious of Filter Team attorneys is likely to make mistakes when faced with documents bearing no indicia of privilege.

No practical and effective alternative to the Filter Team has been proposed, however. The exigency of the NCIS investigation, the volume of materials, and the logistical problems of dealing with documents located at Guantanamo Bay (where counsel are from all over the United States mainland) all add up to a situation unlike that of any case that has been cited to me. Neither review by special masters nor pre-screening by

⁴See US v. DeFonte, supra.

counsel for the detainees could be accomplished in a reasonable amount of time.⁵

CHILLING EFFECT

Petitioners contend that the proposed Filter Team review will chill attorney-client communications. Pet. Opp. at 14. The challenges facing the development of attorney-client relationships between counsel and Guantanamo detainees are acknowledged. Counsel who have undertaken such representation are performing a very significant public service, for which the Court and the entire legal community is grateful. The chilling effect point is duly noted. Some chill seems likely; the depth is debatable. It cannot be allowed, however, to trump the

⁵There is no reason to think that a special master would be any more successful than a filter team at identifying privileged documents bearing no obvious privilege markings. Special masters are usually appointed when the materials for review "are not voluminous," and therefore are less useful in cases involving significant problems with time, manpower and multiple languages. United States v. Stewart, 2002 WL 1300059 (S.D.N.Y. June 11, 2002); Black v. United States, 172 F.R.D. 511 (S.D. Fla. 1997) (noting that when a Special Master was appointed to sort documents in a previous case, the initial review remained incomplete over two years after the seizure).

I have conducted no evidentiary hearing to assess the costs, complexity, and delays that would flow from choosing one of the alternative proposed by petitioners, and the subject was not explored in any detail in the hearings before Judge Leon. The government's cautionary concerns about the volume of material to be reviewed, the number of languages involved, and the prospect of delay, see, e.g., No. 04-1254, Dkt. No. 182 at 23-25, seem self-evidently to be well founded.

government's investigative requirements in this sensitive situation.

OBLIGATIONS OF THE FILTER TEAM

The government's motion will be granted in the language proposed by the government,⁶ without filigree, but the government is cautioned that meticulous records must be kept regarding each document seized and reviewed, including records reflecting copies made of such documents, their distribution and use, and chains of custody. If privileged materials are inadvertently or improperly disclosed, Kastigar-like hearings, cf. Kastigar v. United States, 406 U.S. 441 (1972), may eventually be required. Note that, in this Circuit, while the inadvertent disclosure of attorney-client privileged material constitutes a complete waiver of the privilege, court-compelled disclosure does not. In re: Sealed Case, 877 F.2d 976, 980 (D.C. Cir. 1989). Note further that the existing protective order preserves the privilege in certain circumstances that would otherwise trigger a waiver, presumably in recognition of detainees' lack of control over their legal communications, Am. Prot. Order ¶ 28. To facilitate any later proceedings on petitioners' cross-motions, all documents that have already been disclosed to NCIS investigators should be marked and segregated.

⁶In each of the cases assigned to me, the government's companion motion to expedite briefing will be marked as moot by the Clerk.

For the reasons set forth above, Respondents' Motion for Procedures Related to Review of Certain Detainee Materials is hereby **granted**, and it is

ORDERED

1. Respondents are hereby authorized to review any attorney-client communications between a Guantanamo Bay detainee and his counsel contained within the documents and materials pertaining to the detainee that have been impounded in connection with the investigation of the Naval Criminal Investigative Service related to detainee suicides of June 10, 2006. Such review shall be conducted by a Filter Team composed of Department of Defense attorneys, intelligence, or law enforcement personnel and translators who have not taken part in, and, in the future, will not take part in, any domestic or foreign court, military commission, or combatant status tribunal or administrative review board proceedings brought by or against the detainees.
2. A Filter Litigation Team is also hereby authorized. The Filter Litigation Team shall be composed of one or more Department of Justice attorneys who shall not take part or be involved in litigating the merits of the Guantanamo Bay detainee habeas cases or other cases brought by or against the detainees.
3. The Filter Team may disclose such attorney-client communications to the Filter Litigation Team.

4. The Filter Team and the Filter Litigation Team shall not disclose such attorney-client communications other than to the Court, except as permitted by counsel involved in the communication or by the Court. The Filter Team and the Filter Litigation Team, however, may disclose information pertaining to future events that threaten national security or involve imminent violence to the Commander, Joint Task Force-Guantanamo.

5. Filings made by the Filter Litigation Team containing or disclosing information not subject to disclosure under this Order shall be made under seal through the Court Security Officers ("CSOs") assigned to these cases. Such filings shall contain a conspicuous notation in substantially the following form, "Filed Under Seal - Contains Privileged Information." The CSOs shall not serve such filings on counsel for respondents, except as authorized by petitioners' counsel or the Court.

JAMES ROBERTSON
United States District Judge

Current as of July 7, 2006

Petitions for Habeas Corpus Brought by Guantanamo Detainees

Background

- As of late June 2006, over 300 detainees at Guantanamo have petitions for habeas corpus pending in federal district court in Washington, D.C.¹
 - The United States district courts are the trial courts of the federal court system. Within limits set by Congress and the Constitution, the district courts have jurisdiction to hear nearly all categories of federal cases, including both civil and criminal matters. There are 94 federal judicial districts, including at least one district in each state, the District of Columbia and Puerto Rico.
 - Most of the 15 district court judges have multiple habeas cases pending before them. There are over 200 cases pending (some include multiple detainees) and each case has at least one civilian counsel² who represents the detainee(s) in that case. Litigation in these cases has been stayed, pending a decision by the Court of Appeals (see below).
- Two cases have also been filed in the Court of Appeals for the District of Columbia Circuit, under the auspices of the Detainee Treatment Act. (See below).

History of Guantanamo Habeas Cases

- By asking for this writ, the detainees are challenging the legal propriety of their custody.³ A writ of habeas corpus is the procedure by which a federal court inquires into someone's detention and (potentially) issues an order directing government authorities to release the petitioner.
 - Habeas corpus petitions can be brought under the US Constitution and/or under the habeas corpus statute.⁴
- In June 2004, the Supreme Court held in *Rasul v. Bush* that the federal habeas statute permitted district courts to hear cases brought by detainees at Guantanamo.

¹ These petitions have been filed by detainees, as well as by "next friends" of the detainees (to include family members and fellow detainees). "Next friends" can file habeas petitions if the next friend has, among other things, a "significant relationship" to the petitioner. The government has moved to dismiss some of the next friend petitions brought by fellow detainees who clearly do not have a significant relationship to the detainee in question. Some of the judges have ruled against the government in these cases.

² The counsel all have US citizenship. Although foreign counsel are not explicitly prohibited from serving as counsel, it is unlikely many will meet the requirements imposed on counsel in these cases. They are required to apply for and receive a security clearance before they are allowed to communicate with detainees. Also, the lawyers must be admitted to practice in federal court in the District of Columbia and be licensed as attorneys in the United States. Foreign attorneys typically do not meet the licensing and admission criteria, nor do they qualify for US security clearances. Foreign counsel may unofficially assist the US counsel, as long as they are not provided access to classified information.

³ Some detainees are also challenging the propriety of our military commission procedures. A separate fact sheet discusses that litigation.

⁴ The habeas statute (28 U.S.C. § 2241) can be found at http://www.access.gpo.gov/uscode/title28/partvi_chapter153.html

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- The Court concluded that although the United States did not exercise “ultimate sovereignty” over Guantanamo, it does exercise “complete jurisdiction and control” over it by the express terms of its agreements with Cuba. Given that, the Court concluded that the habeas statute applies to individuals detained at Guantanamo.
- Following *Rasul*, the government filed “factual returns” in federal court.⁵ A factual return for a detainee indicates the factual bases for his detention as an enemy combatant and consists of the record of his Combatant Status Review Tribunal (CSRT).⁶
- The government then moved to dismiss the habeas petitions on legal grounds, contending:
 - The President has the inherent authority to capture and detain enemy combatants in a time of war, as well as having Congress’ specific authorization to do so through the Authorization for the Use of Military Force.
 - The Constitution does not apply to detainees at Guantanamo and, even if it does, the CSRT procedures meet constitutional requirements of due process.
 - The detainees failed to state a claim under the Alien Tort Statute, international law and Army regulations.

Court Review of our Combatant Status Review Tribunals

- There is a dispute about whether the Supreme Court’s opinion also stands for the proposition that detainees have constitutional rights, due to some arguably ambiguous language. This has led to conflicting rulings by two district court judges who reviewed the CSRT procedures in January 2005.⁷
 - Judge Leon concluded that “There is no basis in the Constitution, or in history, for according aliens captured by the military outside the United States and classified as enemy combatants ‘due process’ rights under the Constitution, based on the mere fact that they are confined—for operational and security reasons—on foreign property that has been leased by the United States.” He then dismissed the habeas petitions pending before him.⁸

⁵ Some judges have not yet required the government to file factual returns, due to the pending litigation regarding the propriety of our CSRT procedures. For those cases where we have filed factual returns, unclassified versions are filed on the court’s public website, while classified versions are made available to the judges and counsel for the detainees. An account is necessary to access the court’s public website. See <http://www.dcd.uscourts.gov/ecf.html>.

⁶ All detainees held by the Department of Defense at Guantanamo had a CSRT proceeding between August 2004 and January 2005. A total of 558 CSRTs were held. These CSRTs are designed to provide the detainees with notice of the basis for their detention as enemy combatants and a forum to contest their status. The Deputy Secretary of Defense’s order establishing the CSRTs and a summary of the overall process can be found at <http://www.defenselink.mil/releases/2004/nr20040707-0992.html>. The extensive procedures for the CSRTs can be found at <http://www.defenselink.mil/releases/2004/nr20040730-1072.html> and in a separate fact sheet.

⁷ Technically, the two opinions by Judge Green and Judge Leon that are discussed below cover only 13 of the 200+ habeas cases pending in district court. However, litigation in the other cases has been stayed pending the Court of Appeals resolution of the issues raised in those conflicting opinions.

⁸ His complete opinion can be found at <http://www.dcd.uscourts.gov/opinions/2005/Leon/2004-CV-1142-7:40:40-3-2-2005-a.pdf>.

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- Several weeks later, Judge Green reached a different conclusion.⁹ She held that the detainees are entitled to due process under the Fifth Amendment to the Constitution¹⁰ and that our CSRT procedures were constitutionally deficient in two respects.
 - In all cases, the process is fundamentally unfair because it relies on classified information not disclosed to the detainee.
 - If the government chooses to not disclose classified information to detainees, it must permit a counsel to have access to that information and to advocate on behalf of the detainee at his hearing.
 - In some cases, the process is also problematic because the CSRT may have relied on statements possibly obtained through "torture or other coercion" and because the CSRT process uses a "vague and overly broad" definition of "enemy combatant" that appears to permit the unlawful detention of some detainees.
- These cases were consolidated and appealed to the U.S. Court of Appeals for the District of Columbia Circuit.¹¹ The cases were argued on September 8, 2005 and a decision is pending.¹²

Recently Enacted Legislation and its Effect on the Litigation

- On December 30, 2005, the President signed into law the "Detainee Treatment Act of 2005."¹³ Among other things, the law amended the federal habeas statute to eliminate the jurisdiction of the district courts over habeas cases brought by Guantanamo detainees.
 - The Act states that "no court, justice or judge shall have jurisdiction to hear or consider" any habeas claim filed by an alien detainee held by the Department of Defense at Guantanamo or any other claim (e.g., a tort claim) regarding his detention there *if*:
 - The detainee is in military custody, or

⁹ Her complete opinion can be found at <http://www.dcd.uscourts.gov/opinions/2005/Green/2002-CV-299~8:57:59~3-2-2005-a.pdf>.

¹⁰ She also held that Taliban detainees have valid habeas claims under the Geneva Convention.

¹¹ The 94 U.S. judicial districts are organized into 12 regional circuits, each of which has a United States court of appeals. A court of appeals hears appeals from the district courts located within its circuit, as well as appeals from decisions of federal administrative agencies.

¹² Technically, the opinions issued by Judges Green and Leon only covered the habeas cases pending before them when they heard argument in the case. However, due to the pending Court of Appeals decision, the other district court judges have issued stays in their cases until that decision is issued.

¹³ This was passed as part of the National Defense Authorization Act for Fiscal Year 2006 and the "Department of Defense Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico and Pandemic Influenza Act of 2006." The complete Act can be found at <http://thomas.loc.gov/cgi-bin/query/F?c109:3:./temp/~c109rMxKrF:e1097237>.

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- The detainee is found to be an enemy combatant through the new review process created by the Detainee Treatment Act.
- The "new review process" in the Act provides that the Court of Appeals will have "exclusive jurisdiction" to review the validity of any final CSRT determination regarding the enemy combatant status of a detainee.
- The law specifically permits the Court of Appeals to resolve the legal issues presented in the Green-Leon appeal: whether the detainees have constitutional due process or other federal right, and, if so, whether the CSRT process comports with those rights.
- In response to this legislation, the U.S. Supreme Court ordered supplemental briefing on addressing the effect of the Detainee Treatment Act on its pending decision and heard oral argument on March 28, 2006 as part of the *Hamdan* litigation regarding military commissions. On June 28, 2006, the Supreme Court ruled, among other things, that aspects of the Detainee Treatment Act did not apply retroactively to cases involving challenges to the military commission process.
- As part of the Green-Leon appeal, the Court of Appeals had also ordered supplemental briefing on the Detainee Treatment Act and heard oral argument on March 22, 2006. Its ruling on this issue (and the other issues in the case) can be issued at any time.
- In the meantime, two cases have been filed as original cases with the Court of Appeals. They are recently-filed cases on behalf of detainees who had never previously filed habeas cases and thus are filed with the Court of Appeals, as required by the Detainee Treatment Act.

Collateral Litigation Filed by Detainees

- As part of their habeas cases, some detainees have filed motions on issues relating to their medical treatment, interrogations, the physical conditions of their detention and other collateral issues.
 - Many of these motions include factual assertions made by detainees and/or their counsel that are untrue.
- In most cases, the federal judges have either denied these motions or have declined to rule at all. Given the uncertainty of whether the detainee legislation has removed their jurisdiction over these cases, the district court judges are unlikely to make any substantive rulings until that issue is resolved by the Court of Appeals.

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

In re Guantanamo Detainee Cases

Civil Action Nos.

02-CV-0299 (CKK), 02-CV-0828 (CKK),
02-CV-1130 (CKK), 04-CV-1135 (ESH),
04-CV-1136 (JDB), 04-CV-1137 (RMC),
04-CV-1142 (RJL), 04-CV-1144 (RWR),
04-CV-1164 (RBW), 04-CV-1166 (RJL),
04-CV-1194 (HHK), 04-CV-1227 (RBW),
04-CV-1254 (HHK), 04-CV-1519 (JR)

**AMENDED PROTECTIVE ORDER AND PROCEDURES FOR COUNSEL ACCESS
TO DETAINEES AT THE UNITED STATES NAVAL BASE
IN GUANTANAMO BAY, CUBA**

This matter comes before the Court upon Respondents' Motion for Protective Order to prevent the unauthorized disclosure or dissemination of classified national security information and other protected information that may be reviewed by, made available to, or are otherwise in the possession of, the petitioners and/or petitioners' counsel in these coordinated cases. Pursuant to the general supervisory authority of the Court, in order to protect the national security, and for good cause shown,

IT IS ORDERED:

1. The Court finds that these cases involve classified national security information or documents, the storage, handling and control of which require special security precautions, and access to which requires a security clearance and a "need to know." These cases may also involve other protected information or documents, the storage, handling and control of which may require special precautions in order to protect the security of United States government personnel and facilities, and other significant government interests.
2. The purpose of this Protective Order is to establish the procedures that must be followed by all petitioners' counsel, their respective petitioner(s), all other counsel involved in

these cases, translators for the parties, and all other individuals who receive access to classified national security information or documents, or other protected information or documents, in connection with these cases, including the privilege team as defined in Exhibit A.

3. The procedures set forth in this Protective Order will apply to all aspects of these cases, and may be modified by further order of the Court *sua sponte* or upon application by any party. The Court will retain continuing jurisdiction to enforce or modify the terms of this Order.

4. Nothing in this Order is intended to or does preclude the use of classified information by the government as otherwise authorized by law outside of these actions.

5. Petitioners' counsel shall be responsible for advising their employees, the petitioners, and others of the contents of this Protective Order, as appropriate or needed.

6. Petitioners' counsel are bound by the terms and conditions set forth in the "Revised Procedures For Counsel Access To Detainees At the U.S. Naval Base In Guantanamo Bay, Cuba," and the procedures for handling mail and documents brought into and out of counsel meetings, attached hereto as Exhibit A. This Protective Order specifically incorporates by reference all terms and conditions established in the procedures contained in Exhibit A to the extent they place limitations on petitioners' counsel in their access to and interaction with petitioners or handling of information. Any violation of the terms and conditions of those procedures will also be deemed a violation of this Protective Order. This paragraph does not apply with respect to provisions in the procedures contained in Exhibit A that are or have been overridden by the Court.

7. The privilege team shall not disclose to any person any information provided by counsel for a petitioner or by a petitioner, other than information provided in a filing with the Court, unless such information, if it were monitored information, could be disclosed under Section X of Exhibit A. Such disclosure shall be consistent with the provisions of Section X of Exhibit A.

Definitions

8. As used herein, the words "documents" or "information" shall include, but are not limited to, all written or printed matter of any kind, formal or informal, including originals, conforming copies and non-conforming copies (whether different from the original by reason of notation made on such copies or otherwise), and further include, but are not limited to:

a. papers, correspondence, memoranda, notes, letters, reports, summaries, photographs, maps, charts, graphs, interoffice and intra-office communications, notations of any sort concerning conversations, meetings, or other communications, bulletins, teletypes, telegrams, telefacsimiles, invoices, worksheets, and drafts, alterations, modifications, changes and amendments of any kind to the foregoing;

b. graphic or oral records or representations of any kind, including, but not limited to, photographs, charts, graphs, microfiche, microfilm, videotapes, sound recordings of any kind, and motion pictures;

c. electronic, mechanical or electric records of any kind, including, but not limited to, tapes, cassettes, disks, recordings, electronic mail, films, typewriter ribbons, word processing or other computer tapes or disks, and all manner of electronic data processing storage; and

d. information acquired orally.

9. The terms "classified national security information and/or documents," "classified information" and "classified documents" refer to:

a. any classified document or information that has been classified by any Executive Branch agency in the interests of national security or pursuant to Executive Order, including Executive Order 12958, as amended, or its predecessor Orders as "CONFIDENTIAL," "SECRET," or "TOP SECRET," or additionally controlled as "SENSITIVE

COMPARTMENTED INFORMATION (SCI)," or any classified information contained in such document;

b. any document or information, regardless of its physical form or characteristics, now or formerly in the possession of a private party that has been derived from United States government information that was classified, regardless of whether such document or information has subsequently been classified by the government pursuant to Executive Order, including Executive Order 12958, as amended, or its predecessor Orders as "CONFIDENTIAL," "SECRET," or "TOP SECRET," or additionally controlled as "SENSITIVE COMPARTMENTED INFORMATION (SCI)";

c. verbal or non-documentary classified information known to the petitioner or petitioners' counsel; or

d. any document and information as to which the petitioner or petitioners' counsel have been notified orally or in writing that such documents or information contains classified information.

10. All classified documents, and information contained therein, shall remain classified unless the documents bear a clear indication that they have been declassified by the agency or department that is the original classification authority of the document or the information contained therein (hereinafter, the "original classification authority").

11. The terms "protected information and/or documents," "protected information" and "protected documents" refer to any document or information deemed by the Court, either upon application by counsel or *sua sponte*, as worthy of special treatment as if the document or information were classified, even if the document or information has not been formally deemed to be classified.

12. For purposes of this Protective Order, "petitioners' counsel" shall be defined to include an attorney who is employed or retained by or on behalf of a petitioner for purposes of

representing the petitioner in habeas corpus or other litigation in federal court in the United States, as well as co-counsel, interpreters, translators, paralegals, investigators and all other personnel or support staff employed or engaged to assist in the litigation.

13. "Access to classified information" or "access to protected information" shall mean having access to, reviewing, reading, learning, or otherwise coming to know in any manner any classified information or protected information.

14. "Secure area" shall mean a physical facility accredited or approved for the storage, handling, and control of classified information.

15. "Unauthorized disclosure of classified information" shall mean any knowing, willful or negligent action that could reasonably be expected to result in a communication or physical transfer of classified information to an unauthorized recipient.

Designation of Court Security Officer

16. The Court designates Christine E. Gunning as Court Security Officer for these cases, and Joan B. Kendrall, Michael P. Macisso, James P. Londergan, Mary M. Cradlin, Daniel O. Hartenstine, John P. Molinard, Jennifer Campbell, and Barbara J. Russell as Alternate Court Security Officers, for the purpose of providing security arrangements necessary to protect from unauthorized disclosure of any classified documents or information, or protected documents or information, to be made available in connection with these cases. Petitioners' counsel shall seek guidance from the Court Security Officer with regard to appropriate storage, handling, transmittal, and use of classified documents or information.

Access to Classified Information and Documents

17. Without authorization from the government, no petitioner or petitioners' counsel shall have access to any classified information involved in these cases unless that person shall first have:

- a. made a written submission to the Court Security Officer precisely stating the reasons why counsel has a need to know the classified information requested; and
- b. received the necessary security clearance as determined by the Department of Justice Security Officer; and
- c. signed the Memorandum of Understanding ("MOU"), attached hereto as Exhibit B, agreeing to comply with the terms of this Protective Order.

The written submissions that are made by counsel to the Court Security Officer stating the reasons why counsel has a need to know the classified information requested shall be kept confidential by the Court Security Officer and shall not be disclosed to any other counsel or party to these cases unless the Court specifically orders such disclosure.

18. Petitioners' counsel to be provided access to classified information shall execute the MOU appended to this Protective Order, and shall file executed originals with the Court and submit copies to the Court Security Officer and counsel for the government. The execution and submission of the MOU is a condition precedent for petitioners' counsel to have access to, or continued access to, classified information for the purposes of this proceeding.

19. The substitution, departure, or removal of petitioners' counsel from these cases for any reason shall not release that person from the provisions of this Protective Order or the MOU executed in connection with this Order.

20. The government shall arrange for one appropriately approved secure area for the use of petitioners' counsel. The secure area shall contain a working area that will be supplied with secure office equipment reasonable and necessary to the preparation of the petitioners' case. Expenses for the secure area and its equipment shall be borne by the government.

21. The Court Security Officer shall establish procedures to ensure that the secure area is accessible to the petitioners' counsel during normal business hours and at other times on reasonable request as approved by the Court Security Officer. The Court Security Officer shall establish procedures to ensure that the secure area may be maintained and operated in the most efficient manner consistent with the protection of classified information. The Court Security Officer or Court Security Officer designee may place reasonable and necessary restrictions on the schedule of use of the secure area in order to accommodate appropriate access to all petitioners' counsel in this and other proceedings.

22. All classified information provided by the government to counsel for petitioners, and all classified information otherwise possessed or maintained by petitioners' counsel, shall be stored, maintained, and used only in the secure area.

23. No documents containing classified information may be removed from the secure area unless authorized by the Court Security Officer or Court Security Officer designee supervising the area.

24. Consistent with other provisions of this Protective Order, petitioners' counsel shall have access to the classified information made available to them in the secure area, and shall be allowed to take notes and prepare documents with respect to those materials.

25. Petitioners' counsel shall not copy or reproduce any classified information in any form, except with the approval of the Court Security Officer or in accordance with the procedures established by the Court Security Officer for the operation of the secure area.

26. All documents prepared by petitioners or petitioners' counsel that do or may contain classified information (including without limitation, notes taken or memoranda prepared by counsel and pleadings or other documents intended for filing with the Court) shall be transcribed, recorded, typed, duplicated, copied, or otherwise prepared only by persons who have received an appropriate approval for access to classified information. Such activities shall take place in the secure area on approved word processing equipment and in accordance with the procedures approved by the Court Security Officer. All such documents and any associated materials containing classified information (such as notes, memoranda, drafts, copies, typewriter ribbons, magnetic recordings, exhibits) shall be maintained in the secure area unless and until the Court Security Officer advises that those documents or associated materials are unclassified in their entirety. None of these materials shall be disclosed to counsel for the government unless authorized by the Court, by petitioners' counsel or as otherwise provided in this Protective Order.

27. Petitioners' counsel shall discuss classified information only within the secure area or in another area authorized by the Court Security Officer, shall not discuss classified information over any standard commercial telephone instrument or office intercommunication system, and shall not transmit or discuss classified information in electronic mail communications of any kind.

28. The Court Security Officer or Court Security Officer designee shall not reveal to any person the content of any conversations she or he may hear by or among petitioners' counsel, nor reveal the nature of documents being reviewed by them, or the work generated by them, except as necessary to report violations of this Protective Order to the Court or to carry out their duties pursuant to this Order. In addition, the presence of the Court Security Officer or Court Security Officer designee shall not operate as a waiver of, limit, or otherwise render inapplicable, the attorney-client privilege or work product protections.

29. Petitioners' counsel shall not disclose the contents of any classified documents or information to any person, including counsel in related cases brought by Guantanamo Bay detainees in this or other courts, except those authorized pursuant to this Protective Order, the Court, and counsel for the government with the appropriate clearances and the need to know that information. Except as otherwise specifically provided by Judge Colleen Kollar-Kotelly in her well-reasoned opinion addressing counsel access procedures regarding petitioners Mohammed Ahmed al Kandari, Fawzi Khalid Abdullah Fahad al Odah, and Khalid Abdullah Mishal al Mutairi in Al Odah v. United States, 02-CV-0828 (CKK), counsel for petitioners in these cases are presumed to have a "need to know" information both in their own cases and in related cases pending before this Court. Therefore, and except as provided with respect to the three petitioners in Al Odah mentioned above, counsel for all petitioners in these cases who have satisfied all necessary prerequisites and follow all procedures set forth herein may share and discuss among themselves classified information to the extent necessary for the effective representation of their clients. Counsel for respondents may challenge the "need to know" presumption on a case-by-case basis for good cause shown.

30. Petitioners' counsel shall not disclose classified information not provided by petitioner-detainee to that petitioner-detainee. Should petitioners' counsel desire to disclose classified information not provided by petitioner-detainee to that petitioner-detainee, petitioners' counsel will provide in writing to the privilege review team (See Exhibit A) a request for release clearly stating the classified information they seek to release. The privilege review team will forward the petitioner counsel's request to the appropriate government agency authorized to declassify the classified information for a determination. The privilege review team will inform petitioners' counsel of the determination once it is made.

31. No petitioner or counsel for petitioner shall disclose or cause to be disclosed any information known or believed to be classified in connection with any hearing or proceeding in these cases except as otherwise provided herein.

32. Except as otherwise stated in this paragraph and to ensure the security of the United States of America, at no time, including any period subsequent to the conclusion of the proceedings, shall petitioners' counsel make any public or private statements disclosing any classified information or documents accessed pursuant to this Protective Order, including the fact that any such information or documents are classified. In the event that classified information enters the public domain, however, counsel is not precluded from making private or public statements about the information already in the public domain, but only to the extent that the information is in fact in the public domain. Counsel may not make any public or private statements revealing personal knowledge from non-public sources regarding the classified or protected status of the information or disclosing that counsel had personal access to classified or protected information confirming, contradicting, or otherwise relating to the information already in the public domain. In an abundance of caution and to help ensure clarity on this matter, the Court emphasizes that counsel shall not be the source of any classified or protected information entering the public domain.

As stated in more detail in paragraph 49 below, failure to comply with these rules may result in the revocation of counsel's security clearance as well as civil and/or criminal liability.

33. The foregoing shall not prohibit petitioners' counsel from citing or repeating information in the public domain that petitioners' counsel does not know to be classified information or a classified document, or derived from classified information or a classified document.

34. All documents containing classified information prepared, possessed or maintained by, or provided to, petitioners' counsel (except filings submitted to the Court and

served on counsel for the government), shall remain at all times in the control of the Court Security Officer for the duration of these cases. Upon final resolution of these cases, including all appeals, all such documents shall be destroyed by the Court Security Officer.

Access to Protected Information and Documents

35. Without authorization from the government or the Court, protected information shall not be disclosed or distributed to any person or entity other than the following:

- a. petitioners' counsel, provided such individuals have signed the Acknowledgment, attached hereto as Exhibit C, attesting to the fact that they have read this Protective Order and agree to be bound by its terms; and
- b. the Court and its support personnel.

36. The execution of the Acknowledgment is a condition precedent for petitioners' counsel to have access to, or continued access to, protected information for the purposes of this proceeding. A copy of each executed Acknowledgment shall be kept by counsel making the disclosure until thirty (30) days after the termination of this action, including appeals.

37. The substitution, departure, or removal of petitioners' counsel from these cases for any reason shall not release that person from the provisions of this Protective Order or the Acknowledgment executed in connection with this Protective Order.

38. Petitioners' counsel shall not disclose the contents of any protected documents or information to any person, to include counsel in related cases brought by Guantanamo Bay detainees in this or other courts, except those authorized pursuant to this Protective Order, the Court, or counsel for the government. Except as otherwise specifically provided by Judge Colleen Kollar-Kotelly with respect to counsel for petitioners Mohammed Ahmed al Kandari, Fawzi Khalid Abdullah Fahad al Odah, and Khalid Abdullah Mishal al Mutairi in Al Odah v. United States, 02-CV-0828 (CKK), counsel for petitioners in these coordinated cases may share protected information with each other but only to the extent that counsel have appropriate

security clearances and that all other procedures set forth in this Protective Order are complied with. Petitioners' counsel shall maintain all protected information and documents received through this proceeding in a confidential manner.

39. Petitioners' counsel shall not disclose protected information not provided by petitioner-detainee to that petitioner-detainee without prior concurrence of counsel for the government or express permission of the Court.

40. No petitioner or counsel for petitioner shall disclose or cause to be disclosed any information known or believed to be protected in connection with any hearing or proceeding in these cases except as otherwise provided herein.

41. At no time, including any period subsequent to the conclusion of the proceedings, will petitioners' counsel make any public or private statements disclosing any protected information or documents accessed pursuant to this Protective Order, including the fact that any such information or documents are protected.

42. Protected information shall be used only for purposes directly related to these cases and not for any other litigation or proceeding, except by leave of the Court. Photocopies of documents containing such information shall be made only to the extent necessary to facilitate the permitted use hereunder.

43. Nothing in this Protective Order shall prevent the government from using for any purpose protected information it provides a party. Nothing in this Protective Order shall entitle another party to protected information.

44. Supplying protected information to another party does not waive privilege with respect to any person or use outside that permitted by this Protective Order.

45. Within sixty (60) days of the resolution of these actions, and the termination of any appeals therefrom, all protected documents or information, and any copies thereof, shall be promptly destroyed, provided that the party to whom protected information is disclosed certifies

in writing that all designated documents and materials have been destroyed, and further provided that counsel for the government may retain one complete set of any such materials that were presented in any form to the Court. Any such retained materials shall be placed in an envelope or envelopes marked "Protected Information Subject to Protective Order." In any subsequent or collateral proceeding, a party may seek discovery of such materials from the government, without prejudice to the government's right to oppose such discovery or its ability to dispose of the materials pursuant to its general document retention policies.

Procedures for Filing Documents

46. Until further order of this Court, any pleadings or other document filed by a petitioner shall be filed under seal with the Court through the Court Security Officer unless the petitioner has obtained from the Court Security Officer permission, specific to a particular, non-substantive pleading or document (e.g., motions for extensions of time, continuances, scheduling matters, etc.) not containing information that is or may be classified or protected, to file the pleading or document not under seal. The date and time of physical submission to the Court Security Officer shall be considered the date and time of filing with the Court. The Court Security Officer shall promptly examine the pleading or document and forward it to the appropriate agencies for their determination whether the pleading or document contains classified information. If it is determined that the pleading or document contains classified information, the Court Security Officer shall ensure that portion of the document, and only that portion, is marked with the appropriate classification marking and that the document remains under seal. If it is determined that the pleading or document contains protected information, the Court Security Officer shall ensure that portion of the document, and only that portion, remains under seal. Any document filed by petitioner that is determined not to contain classified information or protected information, and is not subject to any other restrictions on disclosure, shall immediately be unsealed by the Court Security Officer and placed in the public record. The Court Security

Officer shall immediately deliver under seal to the Court and counsel for the government any pleading or document to be filed by petitioners that contains classified information or protected information. The Court shall then direct the clerk to enter on the docket sheet the title of the pleading or document, the date it was filed, and the fact that it has been filed under seal with the Court Security Officer.

47. Any pleading or other document filed by the government containing classified information shall be filed under seal with the Court through the Court Security Officer. The date and time of physical submission to the Court Security Officer shall be considered the date and time of filing with the Court. The Court Security Officer shall serve a copy of any classified pleadings by the government upon the Petitioner at the secure facility.

48. Nothing herein shall require the government to disclose classified or protected information. Nor shall anything herein prohibit the government from submitting classified information or protected information to the Court *in camera* or *ex parte* in these proceedings, or entitle petitioners or petitioners' counsel access to such submissions or information. Except for good cause shown in the filing, the government shall provide counsel for the petitioner or petitioners with notice served on such counsel on the date of the filing.

Penalties for Unauthorized Disclosure

49. Any unauthorized disclosure of classified information may constitute violations of United States criminal laws. In addition, any violation of the terms of this Protective Order shall be immediately brought to the attention of the Court and may result in a charge of contempt of Court and possible referral for criminal prosecution. See e.g., Executive Order 12958, as amended. Any breach of this Protective Order may also result in the termination of access to classified information and protected information. Persons subject to this Protective Order are advised that direct or indirect unauthorized disclosure, retention, or negligent handling of classified documents or information could cause damage to the national security of the United

States or may be used to the advantage of an adversary of the United States or against the interests of the United States. Persons subject to this Protective Order are also advised that direct or indirect unauthorized disclosure, retention, or negligent handling of protected documents or information could risk the security of United States government personnel and facilities, and other significant government interests. This Protective Order is to ensure that those authorized to receive classified information and protected information will not divulge this information to anyone who is not authorized to receive it, without prior written authorization from the original classification authority and in conformity with this Protective Order.

50. The termination of these proceedings shall not relieve any person or party provided classified information or protected information of his, her, or its obligations under this Protective Order.

IT IS SO ORDERED.

November 8, 2004

/s/
JOYCE HENS GREEN
United States District Judge

Exhibit A

EXHIBIT A

**REVISED PROCEDURES FOR COUNSEL ACCESS TO DETAINEES
AT THE U.S. NAVAL BASE IN GUANTANAMO BAY, CUBA**

I. Applicability

Except as otherwise stated herein or by other Order issued in the United States District Court for the District of Columbia, the following procedures shall govern counsel access to all detainees in the control of the Department of Defense ("DoD") at the U.S. Naval Base in Guantanamo Bay, Cuba ("GTMO") by counsel for purposes of litigating the cases in which this Order is issued.

These procedures do not apply to counsel who are retained solely to assist in the defense of a detainee in a trial by military commission. Access by that counsel is covered by the Procedures for Monitoring Communications Between Detainees Subject to Trial by Military Commission and their Defense Counsel Pursuant to Military Commission Order No. 3.

II. Definitions

A. Communications: All forms of communication between counsel and a detainee, including oral, written, electronic, or by any other means.

B. Counsel: An attorney who is employed or retained by or on behalf of a detainee for purposes of representing the detainee in the United States District Court for the District of Columbia and who is admitted, either generally or pro hac vice, in this Court. Unless otherwise stated, "counsel" also includes co-counsel, interpreters, translators, paralegals, investigators and all other personnel or support staff employed or engaged to assist in the litigation.

C. Detainee: An individual detained by DoD as an alleged enemy combatant at the U.S. Naval Base in Guantanamo Bay, Cuba.

D. Privilege Team: A team comprised of one or more DoD attorneys and one or more intelligence or law enforcement personnel who have not taken part in, and, in the future, will not take part in, any domestic or foreign court, military commission or combatant status tribunal proceedings involving the detainee. If required, the privilege team may include interpreters/translators, provided that such personnel meet these same criteria.

E. Legal Mail: Letters written between counsel and a detainee that are related to the counsel's representation of the detainee, as well as privileged documents and publicly-filed legal documents relating to that representation.

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III. Requirements for Access to and Communication with Detainees

A. Security Clearance:

1. Counsel must hold a valid current United States security clearance at the Secret level or higher, or its equivalent (as determined by appropriate DoD intelligence personnel).
2. Counsel who possess a valid security clearance shall provide, in writing, the date of their background investigation, the date such clearance was granted, the level of the clearance, and the agency who granted the clearance. Access will be granted only after DoD verification of the security clearance.
3. Counsel who does not currently possess a Secret clearance will be required to submit to an application for clearance to the Department of Justice, Litigation Security Division.

B. Acknowledgment of and Compliance with Access Procedures

1. Before being granted access to the detainee, counsel will receive a copy of these procedures. To have access to the detainee, counsel must agree to comply fully with these procedures and must sign an affirmation acknowledging his/her agreement to comply with them.
2. This affirmation will not be considered an acknowledgment by counsel that the procedures are legally permissible. Even if counsel elects to challenge these procedures, counsel may not knowingly disobey an obligation imposed by these procedures.
3. The DoD expects that counsel, counsel's staff, and anyone acting on the behalf of the attorney will fully abide by the requirements of this document. Counsel is required to provide the DoD with signed affirmations from interpreters, translators, paralegals, investigators and all other personnel or support staff employed or engaged to assist in the litigation, upon utilization of those individuals by counsel in a manner that implicates these procedures.
4. Should counsel fail to comply with the procedures set forth in this document, access to or communication with the detainee will not be permitted.

C. Verification of Representation

1. Prior to being permitted access to the detainee, counsel must provide DoD with a *Notification of Representation*. This Notification must include the counsel's licensing information, business and email addresses and phone number, as well as

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the name of the detainee being represented by the counsel. Additionally, counsel shall provide evidence of his or her authority to represent the detainee.

2. Counsel shall provide evidence of his or her authority to represent the detainee as soon as practicable and in any event no later than ten (10) days after the conclusion of a second visit with the detainee. The Court recognizes that counsel may not be in a position to present such evidence after the initial meeting with a detainee. Counsel for detainees and counsel for respondents shall cooperate to the fullest extent possible to reach a reasonable agreement on the number of counsel visits allowed. Should counsel for a detainee believe that the government is unreasonably limiting the number of visits with a detainee, counsel may petition the Court at the appropriate time for relief.
3. If the counsel withdraws from representation of the detainee or if the representation is otherwise terminated, counsel is required to inform DoD immediately of that change in circumstances.
4. Counsel must provide DoD with a signed representation stating that to the best of counsel's knowledge after reasonable inquiry, the source of funds to pay counsel any fees or reimbursement of expenses are not funded directly or indirectly by persons or entities the counsel believes are connected to terrorism or the product of terrorist activities, including "Specially Designated Global Terrorists," identified pursuant to Exec. Order No. 13,224, 66 Fed. Reg. 49,079 (Sept. 23, 2001) or Exec. Order No. 12,947, 60 Fed. Reg. 5079 (Jan. 23, 1995), and (b) counsel has complied with ABA Model Rule 1.8(f).

D. Logistics of Counsel Visits

1. Counsel shall submit to the Department of Justice (DoJ) any request to meet with a detainee. This request shall specify date(s) of availability for the meeting, the desired duration of the meeting and the language that will be utilized during the meeting with the detainee. Reasonable efforts will be made to accommodate the counsel's request regarding the scheduling of a meeting. Once the request has been approved, DoJ will contact counsel with the date and duration of the meeting.
2. Legal visits shall take place in a room designated by JTF-Guantanamo. No more than two attorneys (or one attorney and one assistant) plus one interpreter/translator shall visit with a detainee at one time, unless approved in advance by the Commander, JTF-Guantanamo. Such approval shall not be unreasonably withheld.
3. Due to the mission and location of the US Naval Base at Guantanamo Bay, Cuba, certain logistical details will need to be coordinated by counsel prior to arrival. This includes arrangements for travel and lodging. Specific information regarding these issues will be provided by DoJ.

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4. In order to travel to GTMO, all counsel must have a country and theater clearance for that specific visit. In order to begin processing country and theater clearances, counsel must have confirmed flight information for travel to GTMO and a valid current United States security clearance at the Secret level or higher, or its equivalent (as determined by appropriate DoD intelligence personnel). Country and theater clearances require twenty (20) days to process. Accordingly, counsel shall provide DoD, through DoJ, with the required information no later than 20 days prior to the GTMO visit date, or as soon as a visit is scheduled. Requests for visits made inside of 20 days will not normally be granted.

IV. Procedures for Correspondence Between Counsel and Detainee

A. Mail Sent by Counsel to Detainee ("Incoming Mail")

1. Counsel shall send incoming legal mail for a detainee to the privilege team at the appropriate address provided by government counsel. Each envelope or mailer shall be labeled with the name of the detainee and shall include a return address for counsel sending the materials. The outside of the envelope or mailer for incoming legal mail shall be labeled clearly with the following annotation: "Attorney-Detainee Materials-For Mail Delivery to Detainee."
2. Each page of legal mail shall be labeled "Attorney-Detainee Materials." No staples, paper clips or any non-paper items shall be included with the documents.
3. Upon receiving legal mail from counsel for delivery to the detainee, the privilege team shall open the envelope or mailer to search the contents for prohibited physical contraband. Within two (2) business days of receipt of legal mail, and assuming no physical contraband is present, the privilege team shall forward the mail to military personnel at GTMO in a sealed envelope marked "Legal Mail Approved by Privilege Team" and clearly indicating the identity of the detainee to which the legal mail is to be delivered. The privilege team shall return to the sender any incoming mail that does not comply with the terms of paragraphs IV.A.1., 2.
4. Within two (2) business days of receipt of legal mail from the privilege team, personnel at GTMO shall deliver the envelope or mailer marked by the privilege team as "Legal Mail Approved by the Privilege Team" to the detainee without opening the envelope or mailer. If counsel desires confirmation that the documents were delivered to the detainee, counsel is responsible for providing a stamped, self-addressed envelope for that purpose. The detainee shall be responsible for mailing any confirmation of delivery to counsel as outgoing legal mail. This method shall be the sole and exclusive means by which confirmation of delivery is provided to counsel.

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5. Written correspondence to a detainee not falling within the definition of legal mail shall be sent through the United States Postal Service to the appropriate address provided by government counsel. Non-legal mail includes, but is not limited to, letters from persons other than counsel, including family and friends of the detainee. These non-privileged communications will be reviewed by military personnel at GTMO under the standard operating procedures for detainee non-legal mail.
6. Counsel is required to treat all information learned from a detainee, including any oral and written communications with a detainee, as classified information, unless and until the information is submitted to the privilege team and determined to be otherwise by the privilege team or by this Court or another court. Accordingly, if a counsel's correspondence contains any summary or recitation of or reference to a communication with a detainee that has not been previously determined to be unclassified, the correspondence shall be prepared, marked, transported and handled as classified material as required by Executive Order 12958, DOD Regulation 5200.1-R and AI 26, OSD Information and Security Supplement to DOD Regulation 5200.1R.
7. Written and oral communications with a detainee, including all incoming legal mail, shall not include information relating to any ongoing or completed military, intelligence, security, or law enforcement operations, investigations, or arrests, or the results of such activities, by any nation or agency or current political events in any country that are not directly related to counsel's representation of that detainee; or security procedures at GTMO (including names of U.S. Government personnel and the layout of camp facilities) or the status of other detainees, not directly related to counsel's representation.

B. Mail Sent by Detainee to Counsel ("Outgoing Mail")

1. Detainees will be provided with paper to prepare communications to counsel. In the presence of military personnel, the detainee will seal the written communication into an envelope and it will be annotated as "Attorney-Detainee Materials-For Mail Delivery To Counsel." Each envelope shall be labeled with the name of the detainee and the counsel. Envelopes annotated with the name of persons other than the detainee's counsel (including family/friends or other attorneys) shall be processed according to the standard operating procedures for detainee non-legal mail.
2. Military personnel will collect the outgoing legal mail within one (1) business day of being notified by the detainee that the communication is prepared for sealing and mailing.
3. After the outgoing legal mail is collected from the detainee, the envelope will be sealed into a larger envelope by military personnel at Guantanamo which will be marked as "Attorney-Detainee Materials-For Mail Delivery To Counsel" and will

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be annotated with the name of the detainee and the counsel. The envelope will be sealed and mailed in the manner required for classified materials. Within two (2) business days of receipt from the detainee, the communication will be mailed to the appropriate address as provided by government counsel.

4. Detainees also are permitted to send non-legal mail, including written communications to persons other than counsel, through the United States Postal Service. These communications shall be reviewed by military personnel at Guantanamo under the standard operating procedures for detainee non-legal mail.
5. In the event any non-legal correspondence or messages from a detainee to individuals other than his counsel (including family/friends or other attorneys) are sent to counsel as, or included with, legal mail, counsel shall return the documents to military personnel at GTMO for processing according to the standard operating procedures for detainee non-legal mail.

V. Materials Brought Into A Meeting With Detainee And Counsel

- A. Counsel shall bring only legal mail, writing utensils and paper into any meeting with a detainee unless counsel has received prior approval from the Commander, JTF-GTMO. The Commander shall not unreasonably withhold approval for counsel to bring into a meeting with a detainee letters, tapes, or other communications introducing counsel to the detainee, if the government has first reviewed the communication and determined that sharing the communication with the detainee would not threaten the security of the United States.
- B. Written and oral communications with a detainee, including all documents brought into a meeting with a detainee, shall not include information relating to any ongoing or completed military, intelligence, security, or law enforcement operations, investigations, or arrests, or the results of such activities, by any nation or agency or current political events in any country that are not directly related to counsel's representation of that detainee; or security procedures at GTMO (including names of U.S. Government personnel and the layout of camp facilities) or the status of other detainees, not directly related to counsel's representation.

VI. Materials Brought Out Of A Meeting With Detainee and Counsel

- A. Upon the completion of each meeting with a detainee or during any break in a meeting session, counsel will give the notes or documents used or produced during the meeting to a designated individual at Guantanamo. These materials will be sealed in the presence of counsel and will be handled as classified material as required by Executive Order 12958, DOD Regulation 5200.1-R and AI 26, OSD Information Security Supplement to DOD Regulation 5200.1R.
- B. Upon the completion of the counsel's visit to Guantanamo, the notes or documents used or produced during the visit shall be sealed in the presence of

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counsel and placed in an envelope labeled as "Attorney-Detainee Meeting Documents-For Delivery to Counsel." The envelope shall be sealed into a larger envelope by military personnel at Guantanamo which shall be marked as "Attorney-Detainee Meeting Documents-For Mail Delivery To Counsel" and shall be annotated with the name of the detainee and the counsel. The envelope shall be sealed and mailed in the manner required for classified materials. Within two (2) business days following the completion of the counsel's visit to Guantanamo, the package shall be mailed to the appropriate address provided by government counsel.

- C. Correspondence or messages from a detainee to individuals other than his counsel (including family/friends or other attorneys) shall not be handled through this process. If a detainee provides these communications to his counsel during a visit, counsel shall give those communications to military personnel at Guantanamo so they can be processed under the standard operating procedures for detainee non-legal mail.

VII. Classification Determination of Detainee Communications

- A. Counsel may submit information learned from a detainee to the privilege team for a determination of its appropriate security classification. Counsel shall memorialize the information submitted for classification review into a written memorandum outlining as specifically as possible the information for which counsel requests a classification determination. All documents submitted for classification review shall be prepared, handled and treated in the manner required for classified materials, as provided by as required by Executive Order 12958, DOD Regulation 5200.1-R and AI 26, OSD Information Security Supplement to DOD Regulation 5200.1R. No information derived from these submissions shall be disclosed outside the privilege team pursuant to these procedures until after the privilege team has reviewed it for security and intelligence purposes. Absent express consent given by the Court, or except as otherwise provided in this document, the submissions shall not be disclosed to any person involved in the interrogation of a detainee, and no such individual may make any use of those communications whatsoever, nor shall the submissions be disclosed to any Government personnel involved in any domestic or foreign court, military commission or combatant status tribunal proceedings involving the detainee.
- B. Counsel shall send all materials submitted for classification review to the appropriate address to be provided by government counsel. The outside of the envelope or mailer shall be clearly labeled "Attorney-Detainee Meeting Documents-For Classification Review By Privilege Team." Each envelope or mailer shall be annotated with the name of the detainee and the counsel. Each page of the document submitted for classification review shall be marked "Attorney-Detainee Materials" and "Classified." The envelope or mailer will be sealed and mailed in the manner required for classified materials.

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- C.** As soon as possible after conducting the classification review, the privilege team shall advise counsel of the classification levels of the information contained in the materials submitted for review. The privilege team shall forward its classification determination directly to counsel after a review and analysis period not to exceed, from the time of receipt by the privilege team:

 - 1.** Seven (7) business days for information that is written in the English language;
 - 2.** Fourteen (14) business days for any information that includes writing in any language other than English, to allow for translations by the privilege team;
 - 3.** Twenty (20) business days for any information where the privilege team has reason to believe that a code was used, to allow for further analysis.
- D.** While conducting classification review, the privilege team shall promptly report any information that reasonably could be expected to result in immediate and substantial harm to the national security to the Commander, JTF-Guantanamo. In his discretion, the Commander, JTF-Guantanamo may disseminate the relevant portions of the information to law enforcement, military and intelligence officials as appropriate.
- E.** If, at any time, the privilege team determines that information in the documents submitted for classification review relate to imminent acts of violence, the privilege team shall report the contents of those documents to Commander, JTF-Guantanamo. In his discretion, the Commander, JTF-Guantanamo may disseminate the relevant portions of the information to law enforcement, military and intelligence officials.
- F.** The privilege team shall not disclose any information submitted by counsel for classification review outside the privilege team, except as provided by these procedures or as permitted by counsel submitting the information.

VIII. Telephonic Access to Detainee

- A.** Requests for telephonic access to the detainee by counsel or other persons will not normally be approved. Such requests may be considered on a case-by-case basis due to special circumstances and must be submitted to Commander, JTF-Guantanamo.
- B.** Any telephonic access by counsel will be subject to appropriate security procedures, but shall not include contemporaneous monitoring or recording.
- C.** Any telephonic access by persons other than counsel will be subject to appropriate security procedures, including contemporaneous monitoring and recording.

EXHIBIT A

IX. Counsel's Handling And Dissemination Of Information From Detainee

- A. Subject to the terms of any applicable protective order, counsel may disseminate the unclassified contents of the detainee's communications for purposes reasonably related to their representation of that detainee.**
- B. Counsel is required to treat all information learned from a detainee, including any oral and written communications with a detainee, as classified information, unless and until the information is submitted to the privilege team and determined to be otherwise. All classified material must be handled, transported and stored in a secure manner, as provided by Executive Order 12958, DOD Regulation 5200.1-R and AI 26, OSD Information Security Supplement to DOD Regulation 5200.1R.**
- C. Counsel shall disclose to DoJ or Commander, JTF-Guantanamo any information learned from a detainee involving future events that threaten national security or involve imminent violence.**
- D. Counsel may not divulge classified information not learned from the detainee to the detainee. Counsel may not otherwise divulge classified information related to a detainee's case to anyone except those with the requisite security clearance and need to know using a secure means of communication. Counsel for detainees in the coordinated cases pending in the United States District Court for the District of Columbia are presumed to have a "need to know" information in related cases pending before this Court. Counsel for respondents in those cases may challenge this presumption on a case-by-case basis for good cause shown.**

X. JTF-Guantanamo Security Procedures

- A. Counsel and translators/interpreters shall comply with the following security procedures and force protection safeguards applicable to the US Naval Base in Guantanamo Bay, Cuba, JTF-Guantanamo and the personnel assigned to or visiting these locations, as well as any supplemental procedures implemented by JTF-Guantanamo personnel.**
- B. Contraband is not permitted in JTF-Guantanamo and all visitors are subject to search upon arrival and departure. Examples of contraband include, but are not limited to, weapons, chemicals, drugs, and materials that may be used in an escape attempt. Contraband also includes money, stamps, cigarettes, writing instruments, etc. No items of any kind may be provided to the detainee without the advance approval of the Commander, JTF-Guantanamo.**
- C. Photography or recording of any type is prohibited without the prior approval of the Commander, JTF-Guantanamo. No electronic communication devices are permitted. All recording devices, cameras, pagers, cellular phones, PDAs, laptops, portable electronic devices and related equipment are prohibited in or near JTF-Guantanamo. Should any of these devices be inadvertently taken into a**

EXHIBIT A

prohibited area, the device must be surrendered to JTF-Guantanamo staff and purged of all information.

- D. Upon arrival at JTF-Guantanamo, security personnel will perform a contraband inspection of counsel and translators/interpreters using metal detectors as well as a physical inspection of counsel's bags and briefcases and, if determined necessary, a physical inspection of his/her person.**
- E. Counsel shall not be permitted to interview or question members of the Joint Task Force about their duties or interactions with detainees without first obtaining permission from the Commander, Joint Task Force Guantanamo. Should permission be unreasonably denied, counsel may seek an Order from this Court granting permission for good cause shown.**
- F. Counsel will meet with a detainee in conference facilities provided by GTMO. These facilities are subject to visual monitoring by closed circuit TV for safety and security reasons. (The only other method of visual observation available is for the door to remain open with military police sitting outside the door.). No oral communications between counsel and detainee will be heard.**
- G. At the conclusion of a meeting with a detainee, counsel and translators/interpreters will again be inspected using a metal detector and, if deemed necessary, by physical inspection of their persons.**

Exhibit B

EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

, et al.)
)
)
 Petitioners,)
)
 v.) Civil Action No.
)
)
 GEORGE W. BUSH,)
 President of the United)
 States, et al.,)
)
 Respondents.)

**MEMORANDUM OF UNDERSTANDING REGARDING ACCESS TO
CLASSIFIED NATIONAL SECURITY INFORMATION**

Having familiarized myself with the applicable statutes, regulations, and orders related to, but not limited to, unauthorized disclosure of classified information, espionage and related offenses; The Intelligence Identities Protection Act, 50 U.S.C. § 421; 18 U.S.C. § 641; 50 U.S.C. § 783; 28 C.F.R. § 17 et seq.; and Executive Order 12958; I understand that I may be the recipient of information and documents that belong to the United States and concern the present and future security of the United States, and that such documents and information together with the methods and sources of collecting it are classified by the United States government. In consideration for the disclosure of classified information and documents:

(1) I agree that I shall never divulge, publish, or reveal either by word, conduct or any other means, such classified

EXHIBIT B

documents and information unless specifically authorized in writing to do so by an authorized representative of the United States government, or as expressly authorized by the Protective Order entered in the United States District Court for the District of Columbia in the case captioned _____ v. George W. Bush, No. _____.

(2) I agree that this Memorandum of Understanding and any other non-disclosure agreement signed by me will remain forever binding on me.

(3) I have received, read, and understand the Protective Order entered by the United States District Court for the District of Columbia in the case captioned _____ v. George W. Bush, No. _____, and I agree to comply with the provisions thereof.

Date

Date

Exhibit C

EXHIBIT C

ACKNOWLEDGMENT

The undersigned hereby acknowledges that he/she has read the Protective Order entered in the United States District Court for the District of Columbia in the case captioned _____ v. George W. Bush, No. _____, understands its terms, and agrees to be bound by each of those terms. Specifically, and without limitation, the undersigned agrees not to use or disclose any protected information or documents made available to him/her other than as provided by the Protective Order. The undersigned acknowledges that his/her duties under the Protective Order shall survive the termination of this case and are permanently binding, and that failure to comply with the terms of the Protective Order may result in the imposition of sanctions by the Court.

DATED: _____

BY: _____
(type or print name)

SIGNED: _____

Documents are potentially protected by attorney-client privilege if they are correspondence or other written material in the possession of a detainee that facially appear to have been provided to that detainee by his attorney or created by the detainee to provide to his attorney.

Uncertainty as to the applicability of the attorney-client privilege should be resolved in favor of the privilege.

Relevant factors in determining whether a document is covered by the privilege may include:

IF THE DOCUMENT APPEARS TO BE CORRESPONDENCE

- Is the document on attorney letterhead?
- Is the document addressed to a licensed attorney or counsel for the detainee?
- Is the document signed by someone purporting to be a licensed attorney or counsel for the detainee?
- Is the document marked as an enclosure or an attachment to a document signed by or addressed to a licensed attorney?
- Is each page marked "Attorney-Detainee Materials" and outside envelopes marked "Legal Mail Approved by the Privilege Team?"

IF THE DOCUMENT APPEARS TO BE CREATED BY THE DETAINEE

- Does the document have a header or footer indicating that it was made for attorney use?
- Does the document reference the detainee's case number?
- Does the document reference the detainee's court date(s)?
- Does the document contain frequent use of legal terminology such as "witness," "judge," "evidence," or "testimony?"
- Does the document contain frequent references to legal tactics or procedures, such as continuances, appeals, examinations or pleadings?
- Does the document contain references to facts that indicate he is trying to describe a series of events to someone?
- Is the document marked as privileged? (Not conclusive either way, but requires closer analysis.)
- Does the document discuss conditions of the detainee's confinement and/or ability to access counsel?
- Does the document contain biographical information relevant to a habeas case?

- Does the document include questions that would be posed to an attorney, such as requests for case status updates and questions relating to legal procedure or legal terminology?
- Does the document request certain types of judicial or administrative relief?

Filter Team Document Review Form

Document number range: _____ to _____

Detainee ISN: _____

Filter Team Reviewer ID: _____

Date of Review: _____

Description of where document
was found (cell, bag #): _____

Description of Document: _____

☐ Check box if the document contains information pertaining to future events that threaten national security or involve imminent violence.

All other documents:

Category:

☐ One: (Relevant to NCIS / Attorney-Client Privileged)

☐ Two: (Not Relevant to NCIS / Attorney-Client Privileged)

☐ Meets category two but violates parameters of Protective Order

☐ Three: (Relevant to NCIS / Not Attorney-Client Privileged)

☐ Four: (Not Relevant to NCIS / Not Attorney-Client Privileged)

Transferred to: _____ Date of Transfer: _____

Notes / Comments: _____

FILTER TEAM BOXES PLACED IN PROTECTIVE STORAGE

<u>BOX</u>	<u>CATEGORY</u>	<u>WEIGHT (IN POUNDS)</u>
1	2	46
2	2	51
3	2	46
4	2	47
5	2	43
6	2	32
7	2	42
8	2	53
9	2	45
10	2	47
11	4	30
12	2	38
13	4	30
14	4	37
15	4	25
16	4	32
17	4	27
18	4	35
19	4	29
20	2	36
21	4	28
22	2	41
23	2	33
24	2	27
25	4	21
26	2	37
27	2	23
28	Restricted	39
29	Restricted	41
30	Restricted	9
31	1 (Filter Litigation)	12
32	Restricted	1